

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	86219596
LAW OFFICE ASSIGNED	LAW OFFICE 115
MARK SECTION	
MARK	http://tmng-al.uspto.gov/resting2/api/img/86219596/large
LITERAL ELEMENT	SMARTSCOOTER
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size or color.
ARGUMENT(S)	
Please see argument text attached within the Evidence section.	
EVIDENCE SECTION	
EVIDENCE FILE NAME(S)	
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DESCRIPTION OF EVIDENCE FILE	Applicant's Response and related Exhibits
GOODS AND/OR SERVICES SECTION (current)	
INTERNATIONAL CLASS	012
DESCRIPTION	
Automobiles; Cars; Motorcycles; Electric vehicles, namely, electric cars, electric scooters. electric motorcycles; Mopeds; Motor cars; Remote control vehicles(other than toys), namely, remote control or auto-driving airplances, cars, trucks, mopeds, motorcycles, Water vehicles	
FILING BASIS	Section 44(d)
FOREIGN APPLICATION NUMBER	102058204
FOREIGN APPLICATION COUNTRY	Taiwan
FOREIGN FILING DATE	10/18/2013
GOODS AND/OR SERVICES SECTION (proposed)	
INTERNATIONAL CLASS	012
TRACKED TEXT DESCRIPTION	
Automobiles ; Motorcycles; Cars ; <u>Electric vehicles, namely, electric scooters and electric motorcycles</u> ; Mopeds; Electric vehicles, namely, electric cars, electric scooters. electric motoreyeles ; Motor cars ; Remote control vheicles(other than toys), namely, remote control or auto-driving airplances, cars, trucks, mopeds, motoreycles, Water vehicles	
FINAL DESCRIPTION	
Motorcycles; Electric vehicles, namely, electric scooters and electric motorcycles; Mopeds	
FILING BASIS	Section 1(b)
FILING BASIS	Section 44(d)
FOREIGN	

APPLICATION NUMBER	102058204
FOREIGN APPLICATION COUNTRY	Taiwan
FOREIGN FILING DATE	10/18/2013
CORRESPONDENCE SECTION	
ORIGINAL ADDRESS	JAMES L. VANA Perkins Coie LLP 1201 3RD AVE STE 4900 Seattle Washington (WA) US 98101-3099
NEW CORRESPONDENCE SECTION	
NAME	JAMES L. VANA
FIRM NAME	Perkins Coie LLP
DOCKET/REFERENCE NUMBER	115282-4009.0000.US001
STREET	1201 3RD AVE STE 4900
CITY	Seattle
STATE	Washington
ZIP/POSTAL CODE	98101-3099
COUNTRY	United States
PHONE	206-359-8000
FAX	206-359-9000
EMAIL	pctrademarks@perkinscoie.com
AUTHORIZED EMAIL COMMUNICATION	Yes
SIGNATURE SECTION	
DECLARATION SIGNATURE	/Elizabeth R. Breakstone/
SIGNATORY'S NAME	Elizabeth R. Breakstone
SIGNATORY'S POSITION	Associate Attorney, Perkins Coie LLP, Washington state bar member
SIGNATORY'S PHONE NUMBER	206-359-8000

DATE SIGNED	10/30/2015
RESPONSE SIGNATURE	/Elizabeth R. Breakstone/
SIGNATORY'S NAME	Elizabeth R. Breakstone
SIGNATORY'S POSITION	Associate Attorney, Perkins Coie LLP, Washington state bar member
SIGNATORY'S PHONE NUMBER	206-359-8000
DATE SIGNED	10/30/2015
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Fri Oct 30 20:05:41 EDT 2015
TEAS STAMP	USPTO/RFR-66.162.129.90-2 0151030200541084827-86219 596-54065f98a2eaf11f2b27e 35b0a671245857b79512112d6 25d3225a81c910bc4080-N/A- N/A-20151030193503353832

Request for Reconsideration after Final Action To the Commissioner for Trademarks:

Application serial no. **86219596** SMARTSCOOTER(Standard Characters, see <http://tmng-al.uspto.gov/resting2/api/img/86219596/large>) has been amended as follows:

ARGUMENT(S)

In response to the substantive refusal(s), please note the following:

Please see argument text attached within the Evidence section.

EVIDENCE

Evidence in the nature of Applicant's Response and related Exhibits has been attached.

Original PDF file:

[evi_6616212990-20151030172322068401_. Request for Reconsideration -](#)

[SMARTSCOOTER_86219596.PDF](#)

Converted PDF file(s) (11 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

[Evidence-5](#)

[Evidence-6](#)

[Evidence-7](#)

[Evidence-8](#)

[Evidence-9](#)

[Evidence-10](#)

[Evidence-11](#)

Original PDF file:

[evi_6616212990-20151030172322068401_.Request - Exhibits A thru D -](#)

[SMARTSCOOTER_86219596.pdf](#)

Converted PDF file(s) (30 pages)

[Evidence-1](#)

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[Evidence-3](#)

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Original PDF file:

[evi_1-6616212990-20151030172322068401 . Request - Exhibits E thru L - SMARTSCOOTER_86219596.pdf](#)

Converted PDF file(s) (56 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

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[Evidence-54](#)
[Evidence-55](#)
[Evidence-56](#)

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 012 for Automobiles; Cars; Motorcycles; Electric vehicles, namely, electric cars, electric scooters. electric motorcycles; Mopeds; Motor cars; Remote control vehicles(other than toys), namely, remote control or auto-driving airplances, cars, trucks, mopeds, motorcycles, Water vehicles

Original Filing Basis:

Filing Basis: Section 44(d), Priority based on foreign filing: *For a trademark or service mark*

application: As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services, and asserts a claim of priority based upon a foreign application. ***For a collective trademark, collective service mark, or***

collective membership mark application: As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization, and asserts a claim of priority based upon a foreign application. ***For a certification membership mark***

application: As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods or services that meet the certification standards of the applicant, and the applicant asserts a claim of priority based upon a foreign application. Claim of priority is based on[Taiwan application number 102058204 filed 10/18/2013]. 15 U.S.C.Section 1126(d), as amended.

Proposed:

Tracked Text Description: ~~Automobiles~~; Motorcycles; ~~Cars~~; [Electric vehicles, namely, electric scooters and electric motorcycles](#); Mopeds; ~~Electric vehicles, namely, electric cars, electric scooters, electric motoreyeles~~; ~~Motor cars~~; ~~Remote control vehicles(other than toys), namely, remote control or auto-driving airplances, cars, trucks, mopeds, motoreyeles, Water vehicles~~

Class 012 for Motorcycles; Electric vehicles, namely, electric scooters and electric motorcycles; Mopeds

Filing Basis: Section 1(b), Intent to Use: *For a trademark or service mark application:* As of the

application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. ***For a collective***

trademark, collective service mark, or collective membership mark application: As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective

membership organization. ***For a certification mark application:*** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

Filing Basis: Section 44(d), Priority based on foreign filing:***For a trademark or service mark application:*** As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services, and asserts a claim of priority based upon a foreign application. ***For a collective trademark, collective service mark, or collective membership mark application:*** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization, and asserts a claim of priority based upon a foreign application. ***For a certification membership mark application:*** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods or services that meet the certification standards of the applicant, and the applicant asserts a claim of priority based upon a foreign application. Claim of priority is based on [Taiwan application number 102058204 filed 10/18/2013]. 15 U.S.C.Section 1126(d), as amended.

CORRESPONDENCE ADDRESS CHANGE

Applicant proposes to amend the following:

Current:

JAMES L. VANA
Perkins Coie LLP
1201 3RD AVE STE 4900
Seattle
Washington (WA)
US
98101-3099

Proposed:

JAMES L. VANA of Perkins Coie LLP, having an address of
1201 3RD AVE STE 4900 Seattle, Washington 98101-3099
United States
pctrademarks@perkinscoie.com
206-359-8000
206-359-9000
The docket/reference number is 115282-4009.0000.US001 .

SIGNATURE(S)

Declaration Signature

DECLARATION: The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that, if the applicant submitted the application or allegation of use (AOU) unsigned, all statements in the application or AOU and this submission based on the signatory's own knowledge are true, and all statements in the application or AOU and this submission made on information and belief are believed to be true.

STATEMENTS FOR UNSIGNED SECTION 1(a) APPLICATION/AOU: If the applicant filed an unsigned application under 15 U.S.C. §1051(a) or AOU under 15 U.S.C. §1051(c), the signatory additionally believes that: the applicant is the owner of the mark sought to be registered; the mark is in use in commerce and was in use in commerce as of the filing date of the application or AOU on or in connection with the goods/services/collective membership organization in the application or AOU; the original specimen(s), if applicable, shows the mark in use in commerce as of the filing date of the application or AOU on or in connection with the goods/services/collective membership organization in the application or AOU; *for a collective trademark, collective service mark, collective membership mark application, or certification mark application*, the applicant is exercising legitimate control over the use of the mark in commerce and was exercising legitimate control over the use of the mark in commerce as of the filing date of the application or AOU; *for a certification mark application*, the applicant is not engaged in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant. **To the best of the signatory's knowledge and belief, no other persons, except, if applicable, authorized users, members, and/or concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services/collective membership organization of such other persons, to cause confusion or mistake, or to deceive.**

STATEMENTS FOR UNSIGNED SECTION 1(b)/SECTION 44 APPLICATION AND FOR SECTION 66(a) COLLECTIVE/CERTIFICATION MARK APPLICATION: If the applicant filed an unsigned application under 15 U.S.C. §§ 1051(b), 1126(d), and/or 1126(e), or filed a collective/certification mark application under 15 U.S.C. §1141f(a), the signatory additionally believes that: *for a trademark or service mark application*, the applicant is entitled to use the mark in commerce on or in connection with the goods/services specified in the application; the applicant has a bona fide intention to use the mark in commerce and had a bona fide intention to use the mark in commerce as of the application filing date; *for a collective trademark, collective service mark, collective membership mark, or certification mark application*, the applicant has a bona fide intention, and is entitled, to exercise legitimate control over the use of the mark in commerce and had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce as of the application filing date; the signatory is properly authorized to execute the declaration on behalf of the applicant; *for a certification mark application*, the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant. **To the best of the signatory's knowledge and belief, no other persons, except, if applicable, authorized users, members, and/or concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services/collective membership organization of such other persons, to cause confusion or mistake, or to deceive.**

Signature: /Elizabeth R. Breakstone/ Date: 10/30/2015

Signatory's Name: Elizabeth R. Breakstone
Signatory's Position: Associate Attorney, Perkins Coie LLP, Washington state bar member
Signatory's Phone Number: 206-359-8000

Request for Reconsideration Signature

Signature: /Elizabeth R. Breakstone/ Date: 10/30/2015

Signatory's Name: Elizabeth R. Breakstone

Signatory's Position: Associate Attorney, Perkins Coie LLP, Washington state bar member

Signatory's Phone Number: 206-359-8000

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the owner's/holder's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the owner/holder in this matter: (1) the owner/holder has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the owner/holder has filed a power of attorney appointing him/her in this matter; or (4) the owner's/holder's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Mailing Address: JAMES L. VANA
Perkins Coie LLP
1201 3RD AVE STE 4900
Seattle, Washington 98101-3099

Serial Number: 86219596

Internet Transmission Date: Fri Oct 30 20:05:41 EDT 2015

TEAS Stamp: USPTO/RFR-66.162.129.90-2015103020054108

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-N/A-N/A-20151030193503353832

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gogoro Inc.

Serial No.: 86,219,596

Mark: SMARTSCOOTER

Class: 12

Office Action Date: April 30, 2015

Examiner: Howard B. Levine (L.O. 115)

**REQUEST FOR
RECONSIDERATION OF
FINAL OFFICE ACTION**

This response (the "Response") to the Final Office Action issued April 30, 2015 (the "Final Office Action") regarding the application by Gogoro Corporation (the "Applicant") for registration of the mark SMARTSCOOTER (the "Mark") in Class 12 (the "Application") addresses the issues raised by the Examining Attorney (the "Examiner"), namely,

- A request to clarify the identification of the goods in the Application (the "Goods");
- A refusal on the grounds that the Mark is likely to be confused with registration 3147044 (the "Cited Mark");
- A refusal on the grounds that the Mark is descriptive;
- A request to clarify the basis of registration of the Mark; and
- A request to provide information regarding the term "SMART" and regarding the Goods.

Based on the response to these issues below, Applicant respectfully requests that the Examiner approve the Application for publication on the Principal Register.

I. AMENDMENT

The Examiner has requested amendments to the Application because the identification of goods is indefinite and must be clarified by fixing the improper parenthetical and a typographical error. Applicant hereby amends the Goods as follows (with language removed shown as ~~struck~~

~~out~~ and new language in **bold**) (the “Amended Goods”):

Class 12: ~~Automobiles; Cars; Motorcycles; Electric vehicles, namely, electric cars, electric scooters; and electric motorcycles; Mopeds; Motor cars; Remote control vehicles (other than toys), namely, remote control or auto-driving airplanes, cars, trucks, mopeds, motoreycles, Water vehicles~~

Subject to the amendment as described above, the improper parenthetical and typographical error will be deleted from the identification of the Goods. Applicant submits that the Amended Goods clarify the goods contained in the Application and do not expand or add different goods to the original identifications. Accordingly, Applicant believes that the amendment above should be acceptable and that the description of Amended Goods is sufficiently specific, definite, and clear. See 37 C.F.R. § 2.71(a); T.M.E.P. § 1402.01, 1402.06.

II. RESPONSE

A. Likelihood of Confusion

In refusing registration of the Mark, the Examiner asserts that the Mark and the Cited Mark are similar because each includes the word “SMART” and the goods are identical motor vehicles (cars, automobiles) or related motor vehicles, all in Class 12. Applicant respectfully asserts that there is no likelihood of confusion between the relevant marks given the Mark’s distinguishing features, the weakness of the shared term “SMART,” the different goods, the different trade channels for these goods, and the high degree of consumer care in purchasing the associated goods.

i. Because the Mark Has Distinguishing Features and SMART is Diluted, there is no Likelihood of Confusion.

The Mark differs in appearance, sound, meaning and commercial impression from the Cited Mark, and the term common to the marks is unlikely to be perceived as a distinguishing source because it is diluted.

a) The Marks Differ in Appearance, Sound, Meaning and Commercial Impression

The Mark contains three syllables and the Cited Mark contains one. The Mark is compound term, whereas the Cited Mark is a single word. Furthermore, the marks share only a single term. “The law does not counsel that similarity in one factor alone automatically results in a finding that marks are similar.” *Coach Services Inc. v. Triumph Learning LLC*, 96 U.S.P.Q.2d 1600, 1609 (T.T.A.B. 2010), *aff’d in part, vacated in part and remanded on other grounds*, 668 F.3d 1356, 101 U.S.P.Q.2d 1713 (Fed. Cir. 2012). The anti-dissection rule is violated when the likelihood of confusion determination is made solely upon the arguably dominant feature of the mark, ignoring all other elements the mark. See *Massey Junior College, Inc. v. Fashion Inst. of Tech.*, 492 F.2d 1399 (C.C.P.A. 1974) (“The fundamental rule is that the marks must be considered in their entirety.”). Additions or deletions to marks may be sufficient to avoid a likelihood of confusion where: (1) the marks in their entirety convey significantly different commercial impressions; *or* (2) the matter common to the marks is not likely to be perceived by purchasers as distinguishing source because it is merely descriptive or diluted. See T.M.E.P. 1207.01(b)(iii) (citing *Safer, Inc. v. OMS Invs., Inc.*, 94 U.S.P.Q.2d 1031, 1044-45 (T.T.A.B. 2010) (holding DEER-B-GON for animal repellant used to repel deer, other ruminant animals, and rabbits, and DEER AWAY and DEER AWAY PROFESSIONAL for repellant for repelling deer, other big game, and rabbits, not likely to cause confusion, noting that “DEER” is descriptive as applied to the relevant goods and thus has no source-indicating significance)).

There may be some relationship between the commercial impressions of the Cited Mark and the Mark, but that does not result in a likelihood of confusion finding. Instead, additions or deletions to a mark can be sufficient to avoid the likelihood of confusion when the term common to the mark is diluted. The matter common to the Cited Mark and the Mark will not be perceived by the purchaser as a distinguishing source because it is diluted. Combined with the fact that the Mark has an additional word, there will not be confusion.

b) The Matter Common to the Marks is Diluted

Third-party registrations may be relevant to show that a mark or a portion of a mark is so commonly used that the public will look to other elements to distinguish the source of the goods

or services. See, e.g., *In re Hartz Hotel Servs., Inc.*, 102 U.S.P.Q.2d 1150, 1153-54 (T.T.A.B. 2012); *In re Melville Corp.*, 18 U.S.P.Q.2d 1386, 1388 (T.T.A.B. 1991); *In re Dayco Products-Eagle Motive Inc.*, 9 U.S.P.Q.2d 1910, 1911-12 (T.T.A.B. 1988); *Plus Prods. v. Star-Kist Foods, Inc.*, 220 U.S.P.Q. 541, 544 (T.T.A.B. 1983). There are numerous third-party registered marks covering different types of vehicles that incorporate the wording “SMART” and variations thereof, thereby indicating that the term “SMART” is highly diluted. Below is a representative sample of such registered marks:

- SMARTPORT, Reg. No. 4479159, for “Land vehicles, namely, trucks, tractors, all-terrain, self-propelled tracked straddle carriers, forklift trucks, reach stacking trucks on wheels, container handling truck vehicles, vehicles, namely, trucks, forklift trucks, industrial trucks, truck loaders and lift trucks incorporating lifting, loading and unloading apparatus, vehicles, namely, trucks, forklift trucks, industrial trucks, truck loaders and lift trucks incorporating lifts, hoists, loaders and cranes”
- SMARTCAT, Reg. No. 4340801, for “Power sports vehicles, namely, all terrain vehicles (ATVs), motorcycles, snowmobiles, three-wheeled motor vehicles, two-wheeled motor vehicles, utility terrain vehicle, electric motorcycles, and motor scooters; anti-theft alarms and back-up warning alarms for such vehicles; structural parts for motorcycles”
- SMARTFIT, Reg. No. 4283476, for “Automobile vehicles equipped with seats adaptable to the occupants' morphology”
- SMARTROC, Reg. No. 4148390, for “Crawler vehicles for locomotion over earth and rock; earth drilling wagons and rock drilling wagons”
- SMARTHOUSE, Reg. No. 3757682, for “vehicles, namely, airplanes; . . . automobiles”
- P[^]RTSM[^]RT, Reg. No. 3654585, for “land vehicles, namely, trucks and structural parts therefore”
- SMARTVAN, Reg. No. 3713510, for “Land vehicles, namely, vehicles equipped with electronic surveillance equipment”

See copies of registrations taken from the electronic database of the United States Patent and Trademark Office attached as Exhibit A.

Third party registrations are recognized as having probative value “for the purpose of showing the strength or weakness” of a mark or term. *See In re Asics Corporation*, 2010 WL 3029525 (T.T.A.B. 2010) (reversing likelihood of confusion refusal to register Leg Balance for listed athletic clothing items including socks due to likelihood of confusion with Foot Balance for leather shoes and boots given that “balance” is used in a number of third-party registrations for similar goods); *see also Carnival Corp. v. SeaEscape Casino Cruises, Inc.*, 74 F. Supp. 2d 1261, 52 U.S.P.Q.2d (BNA) 1920, 1923 (S.D. Fla. 1999) (numerous third party registrations for marks including the term “fun” in the travel, gaming and entertainment industries weaken the strength of Fun Ship for cruise ships). The number of third parties in related fields with marks containing the term “smart” provides evidence of the inherent weakness of that term. *See, e.g., In re E.I. Du Pont de Nemours & Co.*, 476 F.2d 1357, 1361, 177 U.S.P.Q. 563, 567 (C.C.P.A. 1973). Thus, the wording “SMART” is weak as applied to vehicles such that it is unlikely that consumers will be confused, particularly given that the overall combinations of Mark and the Cited Mark have no other commonality.

ii. The Differences in the Goods Offered Under the Respective Marks and the High Degree of Consumer Care Ensure that Confusion Will Not Occur

The Applicant has amended the Goods to further limit any likelihood of confusion between the parties’ marks. As previously addressed, the Amended Goods are motorcycles, electric vehicles, namely, electric scooters and electric motorcycles, and mopeds.

Clearly, the Amended Goods and the Cited Goods are not identical or competitive, or related or marketed in such a way that they would be encountered by the same persons in situations that would create the incorrect assumption that they originate from the same source. They exist in different channels of trade, and are purchased by consumers who exercise a high degree of care. *See T.M.E.P. 1207.01(a)(i)* (citing *In re Thor Tech, Inc.*, 113 U.S.P.Q.2d 1546, 1551 (T.T.A.B. 2015) (finding use of identical marks for towable trailers and trucks not likely to cause confusion given the difference in the nature of the goods and their channels of trade and the high degree of consumer care likely to be exercised by the relevant consumers)).

The Amended Goods and Cited Goods do not exist in the same channel of trade. Manufacturers and dealers generally specialize in the Cited Goods *or* the Amended Goods. Very

few manufacture both or sell both. Exhibit B and Exhibit C show the webpages of manufacturers of the Cited Goods and the Amended Goods, respectively. As the evidence shows, companies generally do not manufacture both the Cited Goods and the Amended Goods. Exhibit D and Exhibit E show the webpages of dealers of the Cited Goods and the Amended Goods, respectively. These webpages show that dealers do not sell both the Cited Goods and the Amended Goods. Therefore, the trade channels from manufacturing to the point-of-purchase, remain separate and do not overlap. Dealers sell the Cited Goods *or* the Amended Goods, but not both. Even in the small number of cases where a company manufactures the Cited Goods and the Amended Goods, these products are not sold together. Exhibit F, for example, shows evidence that even though BMW manufactures cars and motorcycles, the two products are not marketed or sold together. The goods are marketing on separate websites, and sold by different dealers. Even in the very rare instance in which a manufacturer makes the Cited Goods and some of the Amended Goods, these products remain clearly separated within the channels of trade.

Furthermore, consumers exercise a high degree of care when purchasing the Amended Goods and the Cited Goods. Circumstances suggesting care in purchasing minimizes the likelihood of confusion. See T.M.E.P. 1207.01(d)(vii) (citing *In re N.A.D., Inc.*, 754 F.2d 996, 999-1000, 224 U.S.P.Q. 969, 971 (Fed. Cir. 1985) (concluding that, because only sophisticated purchasers exercising great care would purchase the relevant goods, there would be no likelihood of confusion merely because of the similarity between the marks NARCO and NARKOMED)); *In re Homeland Vinyl Prods., Inc.*, 81 U.S.P.Q.2d 1378, 1380, 1383 (T.T.A.B. 2006)). In fact, the Trademark Trials and Appeals Board has found that purchasers of automobiles exercise a high degree of care in making a purchase. See *Tiffany & Co. v. Classic Motor Carriages Inc.*, 10 U.S.P.Q.2d 1835, 1841 (T.T.A.B. 1989). Given that the Cited Goods are a type of automobile, purchasers of the Cited Goods will exercise a high degree of care.

Consumers also exercise a high degree of care in purchasing the Amended Goods. Goods covered by the Mark can cost between several hundred dollars and tens of thousands of dollars. See, e.g., Exhibit G. Given those price ranges, just as consumers of automobiles exercise a high degree of care, consumers of the Amended Goods exercise an equally high level of care in making a purchasing decision. Furthermore, the nature of the Amended Goods are such that a consumer is unlikely to make an “impulse” purchase. See *In re Homeland Vinyl Products, Inc.*,

81 U.S.P.Q.2d 1378, 1378 (Fed. Cir. 2006)(buyers of fence rails exercise a relatively high degree of care in their purchasing decisions). The Amended Goods are motorized vehicles, which provide a means for transportation for a consumer. A consumer is likely to own one or a very small number of any of the Amended Goods. Therefore, these are not everyday purchases, but are, instead, special purchases made infrequently and with great care. Even for those Amended Goods on the lower end of the spectrum of cost, a consumer is likely to pay particular attention to such a special purchase, carefully researching and examining any of the Amended Goods before buying. Therefore, consumers of the Amended Goods would be highly selective and would understand that these goods come from different sources.

Considering (i) the differences between the Mark and the Cited Mark in sound, meaning and appearance; (ii) the diluted and weak nature of the shared term “SMART”; (iii) the differences in the goods offered under the relevant marks and the differences in the respective channels of trade; and (iv) the high degree of consumer care in purchasing the Amended Goods and the Cited Goods, there is no possibility that consumers will confuse the source of the respective goods or mistakenly assume an affiliation or connection between the Applicant and the owner of the Cited Mark.

B. Descriptiveness

The Examiner has refused registration on the grounds that the Mark is merely descriptive. For the reasons set forth below, Applicant respectfully disagrees with this conclusion, and requests that the descriptiveness refusal be withdrawn.

A mark is deemed to be merely descriptive of goods or services if it forthwith conveys an immediate idea of an ingredient, quality, characteristic, feature, function, purposes or use of the specified goods or services. *See, e.g., In re Gyulay*, 820 F.2d 1216, 3 U.S.P.Q.2d 1009 (Fed. Cir. 1978). These attributes must be described with “some particularity.” *In re Entemann’s Inc.*, 15 U.S.P.Q.2d 1750, 1751 (T.T.A.B. 1990). Stated differently, a mark is merely descriptive if it *only* describes a relevant attribute of the identified goods or services. T.M.E.P. §1209.01(b).

A mark is registrable if it is suggestive. Suggestive marks require imagination, thought, or perception to reach a conclusion as to the nature of those goods or services. T.M.E.P. §

1209.01(a). For example, the Trademark Trial and Appeal Board (the “T.T.A.B.”) held that SNO-RAKE was suggestive of snow-removal hand tools and DRI-FOOT was suggestive of antiperspirant foot deodorant, because some measure of imagination was required to connect those marks to the underlying goods. *In re Shutts*, 217 U.S.P.Q. 363 (T.T.A.B. 1983); *In re Pennwalt Corp.*, 173 U.S.P.Q. 317 (T.T.A.B. 1972). While a mark may vaguely suggest an attribute of the identified goods, such an indirect or incomplete suggestion is a hallmark of a suggestively distinctive mark. See, e.g., *RJR Foods, Inc. v. Queen Spray Cranberries, Inc.*, 174 U.S.P.Q. 244, 245-46 (T.T.A.B. 1972). Suggestive marks suggest a connection to the underlying goods or services, but do not blatantly describe the goods or services. See, e.g., *In re George Weston Ltd.*, 228 U.S.P.Q. 57 (T.T.A.B. 1985) (find SPEEDI BAKE to be suggestive of frozen dough that can be baked into bread, because it did not describe the actual goods and consumers would not be able to ascertain the exact nature of the goods simply by viewing the mark).

In the present case, the Mark is suggestive because the mark is so vague that it does not convey any immediate idea of a specific characteristic or feature of the goods; rather it is a play on words and has multiple suggestive meanings. The Examiner cites to a definition of “SMART” as “capable of making adjustments that resemble those resulting from human decisions, chiefly by means of electronic sensors and computer technology; smart machines.” This is one of many definitions of the term “SMART”, but not one that is particularly relevant here. The term “SMART” conveys many meanings in regards to the Amended Goods. The American Heritage® Dictionary provides the following definitions of “SMART”:

- “Fashionable; elegant”;
- “Having or showing intelligence; bright”;
- “Capable of making adjustments that resemble those resulting from human decisions, chiefly by means of electronic sensors and computer technology”;
- “Energetic or quick in movement”; and
- “Canny and shrewd in dealings with others”.

See Exhibit H. Given these multiple meanings, a potential purchaser would not view the term “SMART” when applied to the Amended Goods as narrowly suggesting use of electronic sensors and computer technology. Instead, the term “SMART” could suggest that the purchase of any of the Amended Goods is intelligent because each is a “smart buy” in that it is cheaper than a car and more fuel efficient. Or it could suggest that driving one of the Amended Goods is intelligent because parking a scooter or motorcycle in the city is easier than parking a car. It could suggest that a purchaser will be fashionable or elegant and, therefore, “look smart” when driving any of the Amended Goods. In other words, “SMART” can mean many things when applied to the Amended Goods. The following examples demonstrate the various ways in which “SMART” is applied to the Amended Goods in popular culture:

“These scooters are environmentally friendly and stylish. If you want to make a statement, this can be a smart choice. The popularity of scooters are going up every day. Mainly for smart looks and convenience. It is a very smart choice in a market where gas price is going up by the minute.” See Exhibit I.

“‘Apple made cell phones look smart and elegant and, hence, everyone wanted to be seen with a smartphone,’ he said. ‘Anyone riding (a GenZe scooter) will look smart, like they are part of this new generation.’” See Exhibit J.

“Look great when you’re riding that bike and look smart and be smart and when you get off that bike, have the time to set yourself up for success so that you can change into the appropriate gear.” See Exhibit K.

“‘It’s powerful, you can get out there and tear it up,’ said Meusec, . . . ‘There’s no motor that needs an oil change or the other servicing like a regular motorcycle. It’s a smart buy.’” See Exhibit L.

The mark requires a consumer to “exercise mature thought or follow a multi-stage reasoning process in order to determine what product or service characteristics the term indicates.” *In re Tennis in the Round Inc.*, 199 U.S.P.Q. 496, 498 (T.T.A.B. 1978) (TENNIS IN THE ROUND held not merely descriptive for providing tennis facilities, the Board finding that the association of applicant's marks with the phrase “theater-in-the-round” created an incongruity because

applicant's tennis facilities are not at all analogous to those used in a “theater-in-the-round”). The term “smart” has so many meanings that its presence in the Mark in no way describes the Amended Goods.

Furthermore, the Examiner indicates, by citing to the last definition above, that the Amended Goods are so-named because they are capable of making adjustments that resemble those resulting from human decisions. However, the identification of the Amended Goods does not suggest that Goods incorporate this type of technology. Where some of the Amended Goods are electric, nothing indicates that they use “electronic sensors” or “computer technology.” The identification merely indicates that the product derives its power from electricity, not gas.

Even when a mark’s component terms are found to be merely descriptive, which the Applicant maintains is not the case in regards to the Mark, the combination of those terms may still result in a distinctive mark if the combined term has a unique, non-descriptive meaning. See T.M.E.P. § 1209.03(d) (citing *In re Colonial Stores Inc.*, 394 F.2d 549, 157 U.S.P.Q. 382 (C.C.P.A. 1968) (SUGAR & SPICE held not merely descriptive of bakery products); *In re Shutts*, 217 U.S.P.Q. 363 (T.T.A.B. 1983) (SNO-RAKE held not merely descriptive of a snow removal hand tool). In the present case, the individual terms are combined in a unique manner to create a unitary mark with a unique, non-descriptive meaning.

As the Mark provides no immediate information regarding the specific goods identified and uses the term “SMART” in a non-descriptive manner, it is inherently distinctive and the Applicant requests that the Examiner withdraw the descriptiveness objection.

C. Registration Basis

The Examiner requires that the Applicant specify the basis on which the Applicant will rely for registration. The Applicant requests that the mark be approved for publication based on a Section 44(e) basis and a Section 1(b) basis. The foreign application is still pending and, therefore, the Applicant requests suspension of the Application until a copy of the foreign registration is available. T.M.E.P. §§ 716.02(b), 1003.04(a).

D. Information Request

The Examiner requests that the Applicant explain whether “SMART” has any meaning or significance in the industry in which the goods are manufactured, or if such wording is a “term of art” within the applicant’s industry. The Applicant believes that the meaning of “SMART” in the industry in which the goods are manufactured is to suggest the convenience that the Amended Goods will bring to the customer, for example, that it is a smart decision to purchase the Amended Goods.

Further, the Examiner asks the Applicant to respond to the following question: “Do the goods feature ‘smart’ computer technology that makes adjustments or calculations that resemble human decisions?” The Amended Goods feature this type of technology, however, they are not the type of good for which this distinction is meaningful. Most contemporary mopeds, scooters and motorcycles, be they standard or electric, contain computer technology that makes these types of adjustments and thus the inclusion of this type of computer technology is not a feature that Applicant is attempting to highlight with the Mark.

III. CONCLUSION

Based upon the foregoing, Applicant submits that it has addressed each of the issues raised in the Office Action and respectfully requests that the Mark be allowed to proceed to publication. If there are any remaining concerns with respect to this application, please contact the Attorney of Record.

EXHIBIT A

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SMARTPORT

Word Mark SMARTPORT

Goods and Services

IC 007. US 013 019 021 023 031 034 035. G & S: Machines and machine tools for use in dock and terminal operations, namely, cranes, hoists, hydraulic lifts and front end loaders, loading and unloading machines, lifting machines, container handling machines, namely, loading and lifting cranes, pallet fork lifters, wire hoist bridges, hydraulic platform lift tables, reach stacking machines, power operated moving equipment, namely, forklifts and machine operated platforms for lashing

IC 009. US 021 023 026 036 038. G & S: Scientific apparatus and instruments, namely, automation systems, automated control systems, test equipment, operation units, remote control units, tracking and steering instruments and devices, measuring and weighing instruments and devices, electrical appliances, apparatus and devices for use in cargo and load handling solutions, dock and terminal operations, dock and terminal equipment, dock and terminal operations optimization and yard management; computer hardware and computer software for process automation; computer hardware and computer software for use in automation, control and optimization for gate, yard and dock, terminal and cargo handling operations; computer hardware and computer software for use in automated lashing platforms; computer hardware and computer software used in lifting, loading and unloading apparatus, namely, cranes, lifts, loaders, hoists; computer hardware and computer software used in vehicles for locomotion by land, air or water, namely, ships and land vehicles; computer hardware and computer software for simulation of container ports, computer software systems for real time monitoring, trouble shooting and data collecting, storing and handling for container and load handling machines in docks and terminals; computer hardware and computer software systems for real time monitoring, trouble shooting and data collecting, storing and handling for container and load handling machines in ports, terminals and industry; computer hardware and computer software for use in information management in the field of cargo and load handling solutions, terminal operations, terminal equipment, apparatus, instruments, machines and devices for lifting, loading and unloading purposes, ships and land vehicles. computer hardware and computer software for use in management and operation of shipping container depots and logistics centres; computer hardware and computer software for tracking and positioning of shipping containers; computer hardware and computer software for use in operation and management of freight distribution centres and warehouses; computer hardware and computer software for accessing and managing marine terminal data; computer hardware and computer software for tracking and positioning of shipping containers; computer hardware and computer software for management and operation of marine shipping terminals and rail facilities; computer hardware and computer software for process automation; computer hardware and computer software for automated container handling; computer hardware and computer software for automated data capture for terminal equipment, containers, land vehicles, lifts, loaders, cranes and ships; computer hardware and computer software for remote control device management and remote control operations; computer hardware and computer software for managing automated lashing platforms; computer hardware and computer software for managing dock and terminal equipment maintenance, monitoring, management, optimization, inventory and support; computer hardware and software for optimizing travel of terminal tractors, trucks and straddle carriers; computer hardware and computer software for recording yard management and yard maintenance; none of the aforesaid goods being sensors for use in the aerospace field

IC 012. US 019 021 023 031 035 044. G & S: Land vehicles, namely, trucks, tractors, all-terrain, self-propelled tracked straddle carriers, forklift trucks, reach stacking trucks on wheels, container handling truck vehicles, vehicles, namely, trucks, forklift trucks, industrial trucks, truck loaders and lift trucks

incorporating lifting, loading and unloading apparatus, vehicles, namely, trucks, forklift trucks, industrial trucks, truck loaders and lift trucks incorporating lifts, hoists, loaders and cranes

IC 042. US 100 101. G & S: Scientific and technological development, namely, research services in the field of cargo and load handling solutions; scientific and technological consulting services, namely, research and design relating to cargo and load handling solutions; scientific and technological consulting services, namely, research and design relating to cargo and load handling solutions, process automation, dock and terminal operations, dock and terminal automation, dock and terminal optimization, dock and terminal equipment, lashing platforms, machines and devices for lifting, loading and unloading purposes, ships and land vehicles; scientific and technological research and engineering design relating to process automation, dock and terminal operations, dock and terminal optimization, dock and terminal maintenance, dock and terminal monitoring, dock and terminal support, dock and terminal inventory and technological dock and terminal management; industrial analysis and research services; design and development of computer hardware and software for use in cargo and load handling solutions, dock operations, dock and terminal equipment, machines and devices for lifting, loading and unloading purposes, ships and land vehicles; providing temporary use of non-downloadable software for use in management, maintenance and operation shipping containers; providing temporary use of non-downloadable software for tracking and positioning of shipping containers

**Standard
Characters
Claimed**

Mark

Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85782441

Filing Date November 19, 2012

Current Basis 44E

Original Filing Basis 1B

Date Amended to Current Register September 11, 2013

Registration Number 4479159

Registration Date February 4, 2014

Owner (REGISTRANT) Cargotec Patenter AB JOINT STOCK COMPANY SWEDEN c/o Cargotec Sweden AB Långgatan 14 Ljungby SWEDEN SE-34181

Attorney of Record Keith E. Danish

Description of Mark Color is not claimed as a feature of the mark.

Type of Mark TRADEMARK. SERVICE MARK

Register SUPPLEMENTAL

Live/Dead Indicator LIVE

TESS HOME	NEW USER	STRUCTURED	FREE FORM	BROWSE DICT	SEARCH OG	TOP	HELP	PREV LIST	CURR LIST
NEXT LIST	FIRST DOC	PREV DOC	NEXT DOC	LAST DOC					

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SmartCat

Word Mark SMARTCAT

Goods and Services IC 012. US 019 021 023 031 035 044. G & S: Power sports vehicles, namely, all terrain vehicles (ATVs), motorcycles, snowmobiles, three-wheeled motor vehicles, two-wheeled motor vehicles, utility terrain vehicle, electric motorcycles, and motor scooters; anti-theft alarms and back-up warning alarms for such vehicles; structural parts for motorcycles. FIRST USE: 20051215. FIRST USE IN COMMERCE: 20060201

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85488491

Filing Date December 6, 2011

Current Basis 1A

Original Filing Basis 1A

Published for Opposition October 2, 2012

Registration Number **4340801**

Registration Date May 28, 2013

Owner (REGISTRANT) Sabertooth Motorcycles, LLC LIMITED LIABILITY COMPANY DELAWARE 5 Sachem Rd. Needham MASSACHUSETTS 02494

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

[TESS HOME](#) [NEW USER](#) [STRUCTURED](#) [FREE FORM](#) [BROWSE DICT](#) [SEARCH OG](#) [TOP](#) [HELP](#) [PREV LIST](#) [CURR LIST](#)

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SMARTFIT

Word Mark SMARTFIT

Goods and Services IC 009. US 021 023 026 036 038. G & S: Computer software enabling the tailoring of automobile seats to the occupants' morphology through a wireless technology communicating with the onboard computer. FIRST USE: 20101130. FIRST USE IN COMMERCE: 20101130

IC 012. US 019 021 023 031 035 044. G & S: Automobile vehicles equipped with seats adaptable to the occupants' morphology. FIRST USE: 20101130. FIRST USE IN COMMERCE: 20101130

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85232045

Filing Date February 2, 2011

Current Basis 1A

Original Filing Basis 1B

Published for Opposition June 7, 2011

Registration Number 4283476

Registration Date January 29, 2013

Owner (REGISTRANT) FAURECIA CORPORATION FRANCE 2, Rue Hennape 92000 NANTERRE FRANCE

Attorney of Record Carlynn Davis, Dermot J. Horgan, Jeannine Rittenhouse, Gary Saposnik, Sean S. Swidler, Dmitriy Makarov, Mark Neids, Amanda Peluse, Carrie Knecht

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Word Mark SMARTROC

Goods and Services IC 007. US 013 019 021 023 031 034 035. G & S: Earth drilling machines and rock drilling machines; drill rigs

IC 012. US 019 021 023 031 035 044. G & S: Crawler vehicles for locomotion over earth and rock; earth drilling wagons and rock drilling wagons

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 26.11.05 - Rectangles made of broken or dotted lines
26.11.21 - Rectangles that are completely or partially shaded

Serial Number 79098725

Filing Date April 19, 2011

Current Basis 66A

Original Filing Basis 66A

Published for Opposition March 13, 2012

Registration Number 4148390

International Registration Number 1080920

Registration Date May 29, 2012

Owner (REGISTRANT) Atlas Copco Rock Drills AB Aktiebolag SWEDEN SE-701 91 Örebro SWEDEN

Attorney of Record Lawrence E. Abelman

Priority Date December 16, 2010

Description of Mark The color(s) black and white is/are claimed as a feature of the mark. The mark consists of a black rectangle with the right side broken into black and white pieces and the wording "SMARTROC" in white centered in the rectangle.

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE


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smart HOUSE



Word Mark SMARHOUSE

Goods and Services IC 012. US 019 021 023 031 035 044. G & S: Vehicles, namely, airplanes; apparatus for locomotion by [land,] air or water, namely, amphibious vehicles, [cars, locomotives, motorcycles, trucks,] ships; [mobile homes;] fitted vehicle covers * shaped for caravans without separate motor for locomotion,* [trailer hitches for vehicles,] dining cars * carriages without separate motor for the locomotion *; camping cars * without separate motor for the locomotion mobile homes; windows for camping cars without separate motor for the locomotion; upholstery for camping cars without separate motor for the locomotion; yachts; automobile bodies for camping cars without separate motor for the locomotion; refrigerated vehicles, namely, trailers without separate motor for the locomotion; sleeping berths for vehicles without separate motor for the locomotion; * [vehicle chassis; automobile chassis; bicycles; bells for bicycles, cycles; chains for bicycles, cycles; baskets adapted for cycles; handle bars for bicycles, cycles; cycle hubs; dress guards for bicycles, cycles; pedals for cycles; pumps for bicycle, cycles; wheels for bicycles, cycles; frames for bicycles, cycles; bicycle tires; tubeless tires for bicycles, cycles; bicycles saddles; saddle covers for bicycles or motorcycles; inner tubes for bicycles, cycles; spokes for bicycles, cycles; windows for vehicles; upholstery for vehicles; yachts; automobile bodies; carts; caissons; pushchairs hoods; motorcycle sidecars; head-rests for vehicle seats; automobiles; refrigerated vehicles, namely, trailers; sleeping berths for vehicles;] aircraft; air cushion vehicles; [air pumps of automobiles; paddles for canoes; covers for baby carriages; wheelchairs; saddles for bicycles, cycles or motorcycles; ships.] undercarriages for vehicles * without separate motor for the locomotion; caravans without separate motor for the locomotion * [; windscreens; camping trailers; caravans]

IC 019. US 001 012 033 050. G & S: Non-metallic transportable buildings; especially for living in; [gutter pipes, not of metal; branching pipes, not of metal;] exterior blinds, not of metal and not of textile; [cabanas not of metal;] huts, namely, non-metal shelter structures; building timber; [building panels, not of metal; buildings, not of metal, namely, portable buildings; roof coverings, not of metal; roofing, not of metal;] asphalt building cardboard; tiles, not of metal; [gutters, not of metal;] roofing slates; shingle; paint spraying booths, not of metal; windows, not of metal; window glass, except glass for vehicle windows; shutters, not of metal; window frames, not of metal; window glass, for building; figurines of stone, concrete or marble; floors, not of metal;greenhouses, transportable, not of metal; greenhouse frames, not of metal; manufactured timber; wood moldings; wood, semi-worked; wood veneers; furrings of wood; wood pulp board, for building; wood paving blocks; wood panelling; modular chicken-houses, not of metal; insulating glass for building; жалюзи, not of metal; [tiles, not of metal, for building;] casement windows, not of metal; aviaries, not of metal; aviaries, wall linings, not of metal, for building, namely, wall boards; [water-pipes, not of metal;] fences, not of metal; bricks; ceilings panels, not of metal

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 24.17.14 - Ampersands (&); At symbol (@); Brackets, punctuation; Commas; Diacritical marks; Exclamation points (!); Punctuation marks; Question marks (?)

Trademark

Search Facility Classification Code NOTATION-SYMBOLS Notation Symbols such as Non-Latin characters,punctuation and mathematical signs,zodiac signs,prescription marks

Serial Number 79053709

Filing Date November 16, 2007

Current Basis 66A
Original Filing Basis 66A
Published for Opposition December 22, 2009
Change In Registration CHANGE IN REGISTRATION HAS OCCURRED
Registration Number **3757682**
International Registration Number 0963990
Registration Date March 9, 2010
Owner (REGISTRANT) OWL-Systemhaus GmbH Gesellschaft mit beschränkter Haftung FED REP GERMANY Klinkstraße 37 32257 Bünde FED REP GERMANY

(LAST LISTED OWNER) SmartHouse GmbH UNKNOWN Werster Straße 40 32584 Löhne FED REP GERMANY
Priority Date May 18, 2007
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "HOUSE" AS TO INTERNATIONAL CLASS 19 AND THE FOLLOWING GOODS WITHIN INTERNATIONAL 12 "CARAVANS AND MOBILE HOMES" APART FROM THE MARK AS SHOWN
Description of Mark Color is not claimed as a feature of the mark.
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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PARTSMART

Word Mark P^RTSM^RT
Goods and Services IC 007. US 013 019 021 023 031 034 035. G & S: Internal combustion engines for boats and replacement engine parts therefor; mechanical engine parts for land vehicles. FIRST USE: 20081000. FIRST USE IN COMMERCE: 20081000
 IC 012. US 019 021 023 031 035 044. G & S: Land vehicles, namely, trucks and structural parts therefor; internal combustion engines for land vehicles. FIRST USE: 20081000. FIRST USE IN COMMERCE: 20081000
Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code 26.17.12 - Angles (geometric); Chevrons
 27.03.01 - Geometric figures forming letters, numerals or punctuation
Trademark Search Facility Classification Code SHAPES-CHEVRONS Designs with a general shape of a chevron or V character
 SHAPES-MISC Miscellaneous shaped designs
Serial Number 77646756
Filing Date January 9, 2009
Current Basis 1A
Original Filing Basis 1A
Published for Opposition April 28, 2009
Registration Number **3654585**
Registration Date July 14, 2009
Owner (REGISTRANT) International Truck Intellectual Property Company, LLC LIMITED LIABILITY COMPANY ILLINOIS 2701 Navistar Drive Lisle ILLINOIS 60532
Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record Jeffrey P. Calfa
Description of Mark Color is not claimed as a feature of the mark. The mark consists of the word "PARTSMART" but replacing the "A's" with the chevron symbol (^) instead of the letter "A" in both locations.
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR).
Live/Dead Indicator LIVE

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SmartVan

Word Mark SMARTVAN

Goods and Services IC 012. US 019 021 023 031 035 044. G & S: Land vehicles, namely, vehicles equipped with electronic surveillance equipment. FIRST USE: 19960401. FIRST USE IN COMMERCE: 19960401

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 77455389

Filing Date April 23, 2008

Current Basis 1A

Original Filing Basis 1A

Date Amended to Current Register September 21, 2009

Registration Number **3713510**

Registration Date November 17, 2009

Owner (REGISTRANT) Law Enforcement Associates, Inc. CORPORATION NEVADA 100 Hunter Place Youngsville NORTH CAROLINA 27596

(LAST LISTED OWNER) LEA/AID ACQUISITION COMPANY CORPORATION NEVADA 2609 DISCOVERY DRIVE, SUITE 125 RALEIGH NORTH CAROLINA 27616

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Mark W. Ishman

Type of Mark TRADEMARK

Register SUPPLEMENTAL

Live/Dead Indicator LIVE

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EXHIBIT B



Compare all smart fortwo vehicles.

From gas to electric, see which smart is right for you.

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RESET VIEW

pure coupe

passion coupe

prime coupe

proxy coupe

Summary

HIGHLIGHTS

Our standard gas model, featuring:

- 3-cylinder turbocharged engine
- 5-speed manual transmission
- LED daytime running lights
- bluetooth connectivity

All the features of the pure, plus:

- leather multifunction steering wheel
- choice of colored interior
- powered and heated mirrors
- height-adjustable driver seat
- retractable cargo cover
- 15" passion unique wheels

All the features of the passion, plus:

- fog lamps
- heated seats
- smart Lighting Package
- black leather upholstery
- panoramic sunroof
- rain & light sensors
- 15" prime unique wheels

All the features of the prime, plus:

- JBL sound system
- blue/white interior
- chrome tip exhaust
- alloy pedals with rubber studs
- shift paddles
- lowered suspension
- 16" proxy unique wheels

PRICE

STARTING AT

\$14,650^[1]

MSRP

STARTING AT

\$16,140^[1]

MSRP

STARTING AT

\$17,490^[1]

MSRP

STARTING AT

\$18,480^[1]

MSRP

ESTIMATED MILEAGE

32 city/39 hwy/ 36 combined^[2]

32 city/39 hwy/ 36 combined^[2]

32 city/39 hwy/ 36 combined^[2]

32 city/39 hwy/ 36 combined^[2]

ENGINE / TRANSMISSION

• Internal combustion 3-cylinder turbocharged engine

• 5-speed manual transmission

• 6-speed dual clutch transmission (twinamic)

• Internal combustion 3-cylinder turbocharged engine

• 5-speed manual transmission

• 6-speed dual clutch transmission (twinamic)

• Internal combustion 3-cylinder turbocharged engine

• 5-speed manual transmission

• 6-speed dual clutch transmission (twinamic)

• Internal combustion 3-cylinder turbocharged engine

• 5-speed manual transmission

• 6-speed dual clutch transmission (twinamic)



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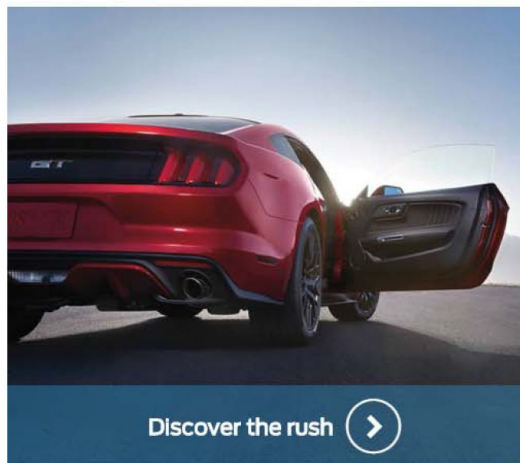
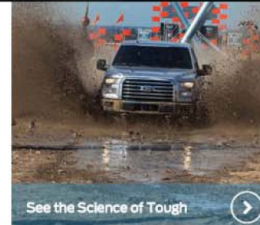


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Model Year

☐ 2015 (20)☐ 2016 (9)

Body Type

☐ Cars (9)☐ Hybrids (9)☐ Crossovers (1)☐ SUVs (9)☐ Trucks (4)☐ Minivan (1)☐ All Vehicles (29)

Key Features

Price (MSRP) (29)

\$14,845 \$83,825

Combined EPA Est. MPG

(29)

13 95

Seating (29)

4 8

2015 Yaris

\$14,845 starting¹
\$16,820 as shown¹ 30/37 est. mpg²

2015 Corolla

\$16,950 starting¹
\$20,745 as shown¹ 28/37 est. mpg²

2016 Corolla

\$17,230 starting¹
\$19,295 as shown¹ 28/37 est. mpg²

2015 Prius c

\$19,540 starting¹
\$24,475 as shown¹ 53/46 est. mpg²

2015 Tacoma

\$20,965 starting¹
\$30,473 as shown¹ 21/25 est. mpg²

2015 Camry

\$22,970 starting¹
\$33,820 as shown¹ 25/35 est. mpg²

2016 Camry

\$23,070 starting¹
\$33,820 as shown¹ 25/35 est. mpg²

2016 Tacoma

\$23,300 starting¹
\$33,730 as shown¹ 19/24 est. mpg²

2015 RAV4

\$23,680 starting¹
\$28,450 as shown¹ 24/31 est. mpg²

2015 Prius

\$24,200 starting¹
\$34,720 as shown¹ 51/48 est. mpg²

2016 Prius v

\$26,675 starting¹
\$34,270 as shown¹ 44/40 est. mpg²

2015 Prius v

\$26,675 starting¹
\$34,270 as shown¹ 44/40 est. mpg²

2015 Camry Hybrid

\$26,790 starting¹
\$30,295 as shown¹ 43/39 est. mpg²

2016 Camry Hybrid

\$26,790 starting¹
\$27,995 as shown¹ 43/39 est. mpg²

2015 Tundra

\$28,510 starting¹
\$39,500 as shown¹ 15/19 est. mpg²

2016 Tundra

\$28,640 starting¹
\$40,170 as shown¹ 15/19 est. mpg²

2015 Sienna

\$28,700 starting¹
\$39,780 as shown¹ 18/25 est. mpg²

2015 Venza










\$29,065 starting¹
\$39,940 as shown¹ 20/26 est. mpg²

2015 Highlander

\$29,765 starting¹
\$40,190 as shown¹ 20/25 est. mpg²

2015 Prius Plug-in Hybrid

\$29,990 starting¹
\$40,190 as shown¹ 45/50 est. mpg²

			
2015 Avalon \$32,285 starting ¹ \$39,980 as shown ¹ 21/31 est. mpg ²	2015 4Runner \$33,210 starting ¹ \$38,855 as shown ¹ 17/22 est. mpg ²	2016 4Runner \$33,510 starting ¹ \$39,095 as shown ¹ 17/22 est. mpg ²	2015 Avalon Hybrid \$36,470 starting ¹ \$41,700 as shown ¹ 40/39 est. mpg ²
			
2015 Sequoia \$44,395 starting ¹ \$61,095 as shown ¹ 13/17 est. mpg ²	2016 Sequoia \$44,965 starting ¹ \$61,495 as shown ¹ 13/17 est. mpg ²	2015 Highlander Hybrid \$47,850 starting ¹ \$47,850 as shown ¹ 27/28 est. mpg ²	2015 Land Cruiser \$80,155 starting ¹ \$80,550 as shown ¹ 13/18 est. mpg ²
2016 Land Cruiser \$83,825 starting ¹ \$83,825 as shown ¹ 13/18 est. mpg ²			
			

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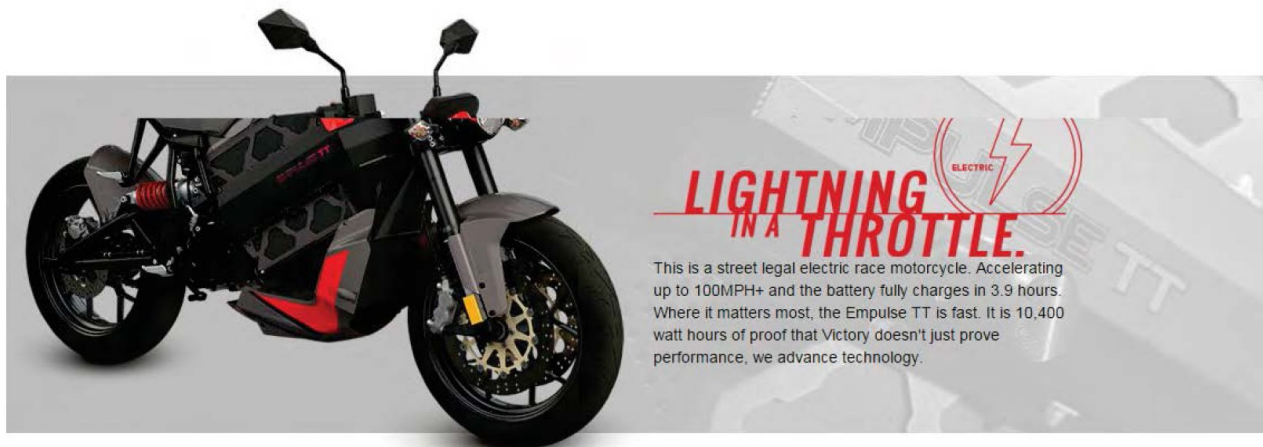
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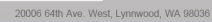
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prime coupe



proxy coupe



pure coupe

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2015 - smart fortwo passion coupe
\$16,180



2015 - smart fortwo passion coupe
\$16,260



2016 - smart fortwo passion coupe
\$17,240



2015 - smart fortwo passion coupe
\$17,370

EXHIBIT E

EXHIBIT E

Motorcycles



PENINSULA

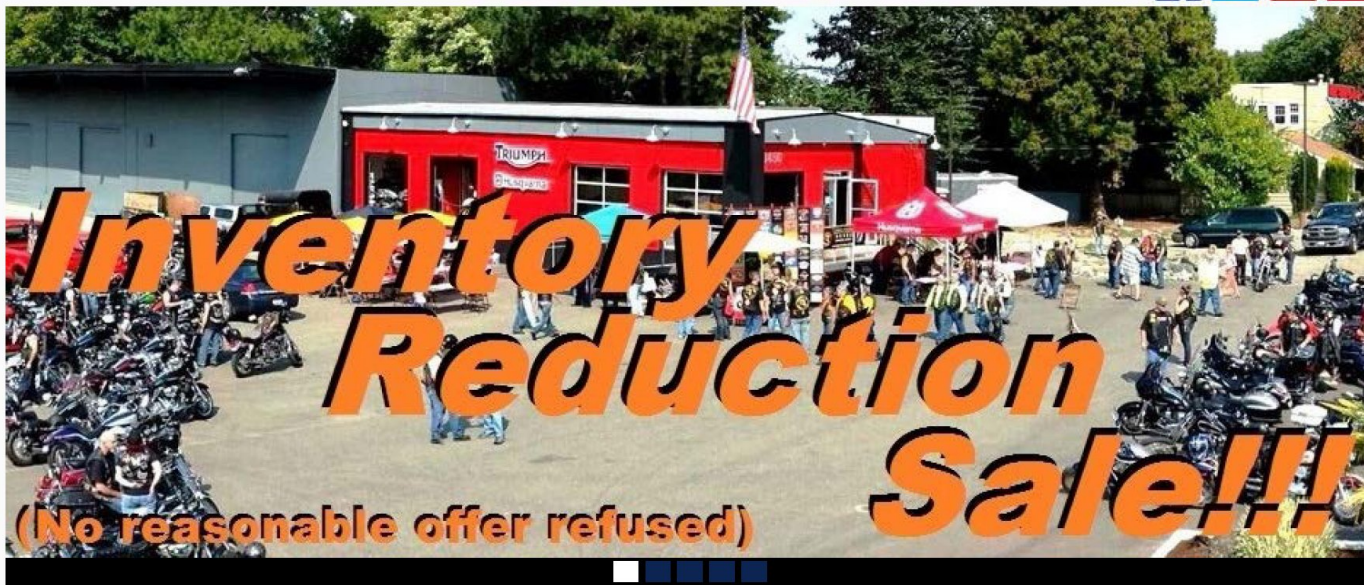
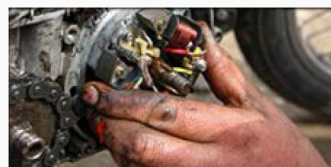


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New Buell® Motorcycles



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DYNA

Street Bob® Request a Quote	Low Rider® Request a Quote	Fat Bob® Request a Quote	Wide Glide® Request a Quote	Switchback™ Request a Quote

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V-Rod Muscle® Request a Quote	Night Rod® Special Request a Quote

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Fat Boy® S
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CVO



CVO™ Street Glide®
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CVO™ Limited
Request a Quote



**CVO™ Road Glide®
Ultra**
Request a Quote

Price, if shown, is Manufacturer's Suggested Retail Price (MSRP) and does not include government fees, taxes, dealer vehicle freight/preparation. Dealer Documentary Service Fee is negotiable and may be up to \$150. MSRP and/or final actual sales price will vary depending on options or accessories selected.

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2015 Honda® CBR® 300R



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2016 Suzuki GSX-S1000 ABS

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Honda dream garage

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<http://www.everettpowersports.com/>

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Store Hours

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Monday | GONE RIDING
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Wednesday | 9:00AM - 6:00PM
Thursday | 9:00AM - 6:00PM
Friday | 9:00AM - 6:00PM
Saturday | 9:00AM - 5:00PM

Directions

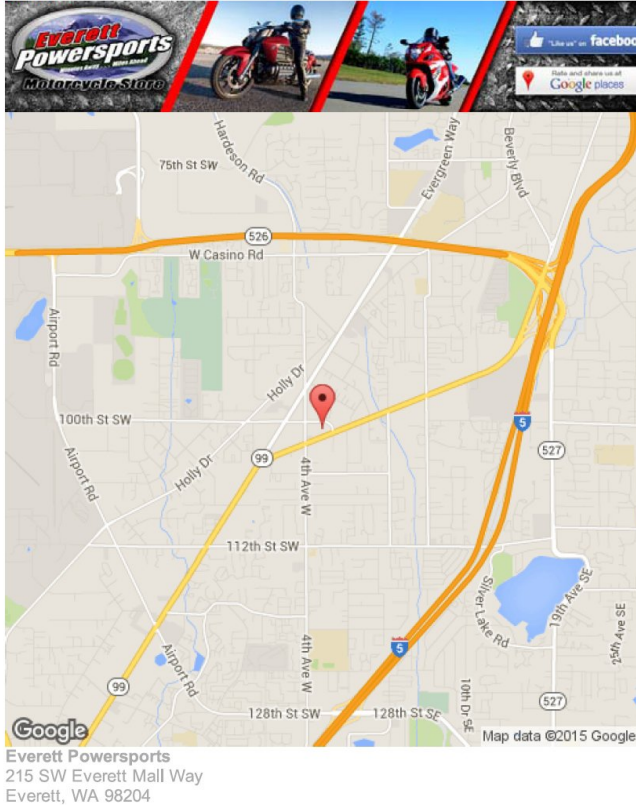


EXHIBIT E

Mopeds

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[Reviews](#) →

I love the Atv I had it for a year now and I got the red and black one and it is nice and I have to get a new key Assy for it...

★★★★★

[Specials](#) →

Fully Assembled
GK-X01-R328 125cc Go Kart with Automatic Transmission w/Reverse, Disc Brakes! Refurbished, Fully Assembled!

~~\$1,299.95~~ **\$959.95**[See details](#)

FREE PRE DELIVERY INSPECTION
CA LEGAL
FREE GOGGLES & GLOVES

MC-X68 50cc Moped Scooter with Sports Style, Aluminum 10" Wheels, Large Rear Storage Trunk! Fully Assembled New, Upgraded!

Was: \$989.95
Instant Savings: \$490

Halloween Special:
\$499.95

Buy with money order
\$479.95 (Save \$20.00)

[See details](#)

FREE PRE DELIVERY INSPECTION
CA LEGAL
FREE GOGGLES & GLOVES

MC-X66 50cc Moped Scooter with Sports Style, Aluminum 10" Wheels, Large Rear Storage Trunk! Fully Assembled, High Quality!

Was: \$1,099.95
Instant Savings: \$470

Halloween Special:
\$629.95

Buy with money order
\$604.75 (Save \$25.20)

[See details](#)

FREE PRE DELIVERY INSPECTION
CA LEGAL
FREE GOGGLES & GLOVES

MC-X65 50cc Moped Scooter with Sports Style, Aluminum 10" Wheels, Large Rear Storage Trunk! Fully Assembled, High Quality!

Was: \$1,099.95
Instant Savings: \$600

Halloween Special:
\$499.95

Buy with money order
\$479.95 (Save \$20.00)

[See details](#)

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 **Senior Discount**

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Hot

CA LEGAL
FREE HANDGRIP & GLOVES

ATV-X10 125cc Utility ATV with Automatic Transmission w/Reverse, Foot Brake, Remote Control! Big 19" Tires!

Was: \$799.95
Instant Savings: \$201

Halloween Special: \$598.95

Buy with money order
\$574.99 (Save \$23.96)

[See details](#)

Hot

FREE GOGGLES & GLOVES

TaoTao Boulder B1 110cc ATV with Automatic Transmission, Remote Control! Rear Rack!

Was: \$489.95
Instant Savings: \$121

Halloween Special: \$368.95

Buy with money order
\$354.19 (Save \$14.76)

[See details](#)

Hot

FREE GOGGLES & GLOVES

TaoTao ATA-110B1 110cc ATV with Automatic Transmission, Remote Control! Rear Rack!

Was: \$489.95
Instant Savings: \$101

Halloween Special: \$388.95

Buy with money order
\$373.39 (Save \$15.56)

[See details](#)



Fully Assembled!
GK-F003-R275 150cc Go Kart with Automatic Transmission w/Reverse! Refurbished, Fully Assembled!

~~\$1,648.95~~ **\$1,479.95**

[See details](#)



TaoTao Boulder B1 110cc ATV with Automatic Transmission, Remote Control! Rear Rack!

~~\$489.95~~ **\$368.95**

[See details](#)



CA LEGAL
FREE GOGGLES & GLOVES

SSR SX50 50cc Dirt Bike with Automatic Transmission! New Arrival! Free Shipping!

Was: \$395.95
Instant Savings: \$16

Halloween Special: \$379.95

[See details](#)



FREE GOGGLES & GLOVES

MC-X09 50cc Moped Scooter with Sports Style, Drum Brakes, 10" Wheels! New Arrival!

Was: \$599.95
Instant Savings: \$150

Halloween Special: \$449.95

Buy with money order
\$431.95 (Save \$18.00)

[See details](#)



FREE HANDGRIP & GLOVES

GK-P003 AeroHawk 125cc Go Kart with Automatic Transmission w/Reverse! Electric Start!

Was: \$1,299.95
Instant Savings: \$500

Halloween Special: \$799.95

Buy with money order
\$767.95 (Save \$32.00)

[See details](#)



ATV-T040 110cc ATV with Automatic Transmission w/Reverse, Foot Brake, Big 19"/18" Tires!

~~\$689.95~~ **\$589.95**

[See details](#)



CA LEGAL
FREE HANDGRIP & GLOVES

ATV-P64 125cc ATV with Automatic Transmission w/Reverse, Foot Brake, Remote Control! Big 16" Tires! New Arrival!

Was: \$749.95
Instant Savings: \$240

Halloween Special: \$509.95



FREE HANDGRIP & GLOVES

ATV-P61 125cc Utility ATV with Semi-Automatic Transmission w/Reverse, Foot Brake, Remote Control!

Was: \$849.00
Instant Savings: \$319

Halloween Special: \$529.95



FREE GOGGLES & GLOVES

TaoTao ATA-125D 125cc ATV with Automatic Transmission w/Reverse, Foot Brake, Remote Control! Big 16" Tires!

Was: \$649.95
Instant Savings: \$120

Halloween Special: \$529.95



MC-X09 50cc Moped Scooter with Sports Style, Drum Brakes, 10" Wheels! New Arrival!

~~\$599.95~~ **\$449.95**

[See details](#)



ATV-X10 125cc Utility ATV with Automatic Transmission w/Reverse, Foot Brake, Remote Control! Big 19" Tires!

Buy with money order
\$489.55 (Save \$20.40)

[▶ See details](#)



FREE GOGGLES & GLOVES

ATV-T020 200cc Utility ATV with
4-Speed Manual Transmission
w/Reverse and Foot Brake!

Was: \$1,249.95

Instant Savings:
\$200

Halloween Special:
\$1,049.95

Buy with money order
\$1,007.95 (Save \$42.00)

[▶ See details](#)

Buy with money order
\$508.75 (Save \$21.20)

[▶ See details](#)



FREE GOGGLES & GLOVES

ATV-T032 125cc ATV with
Semi-Automatic Transmission
w/Reverse, Foot Brake and Remote
Control!

Was: \$699.95

Instant Savings:
\$90

Halloween Special:
\$609.95

Buy with money order
\$585.55 (Save \$24.40)

[▶ See details](#)

Buy with money order
\$508.75 (Save \$21.20)

[▶ See details](#)



CA LEGAL

DB-J005 Coolster 70cc Dirt Bike
with Semi-Auto Transmission,
Honda XR50 Upgraded!

Was: \$499.95

Instant Savings:
\$155

Halloween Special:
\$344.95

Buy with money order
\$331.15 (Save \$13.80)

[▶ See details](#)

~~\$799.95~~ **\$598.95**

[▶ See details](#)



GK-F018 150cc Go Kart
with Automatic CVT
Transmission
w/Reverse! Included
Headlights and Front Brake!
Free Gifts!

~~\$1,799.95~~ **\$1,478.95**

[▶ See details](#)



FREE PRE DELIVERY INSPECTION
CA LEGAL

MC-E26 150cc Moped Scooter with
10" Wheels, Rear Trunk! Made by
ZHEN, High Quality! Free Shipping!

Was: \$1,999.95

Instant Savings:
\$300

Halloween Special:
\$1,699.00

Buy with money order
\$1,631.04 (Save \$67.96)

[▶ See details](#)



CA LEGAL
FREE GOGGLES & GLOVES

SSR SR70 70cc Dirt Bike with
Semi-Auto Transmission! New
Arrival!

Was: \$659.00

Instant Savings:
\$269

Halloween Special:
\$389.95

Buy with money order
\$374.35 (Save \$15.60)

[▶ See details](#)



CA LEGAL
FREE GOGGLES & GLOVES

SSR SR110SEMI Pit Bike with
Semi-Automatic Transmission!

Was: \$799.00

Instant Savings:
\$339

Halloween Special:
\$459.95

Buy with money order
\$441.55 (Save \$18.40)

[▶ See details](#)



CA LEGAL
FREE GOGGLES & GLOVES

SSR SR125SEMI Pit Bike with
Semi-Automatic Transmission, Kick
Start!

Was: ~~\$1,049.00~~

Instant Savings:
\$540

Halloween Special:
\$508.95

Buy with money order
~~\$488.59~~ (Save \$20.36)

[See details](#)

CA LEGAL
FREE GOGGLES & GLOVES

SSR SR125 125cc Pit Bike with
Manual Transmission, Kick Start!
Super Hot!

Was: ~~\$1,049.00~~

Instant Savings:
\$539

Halloween Special:
\$509.95

Buy with money order
~~\$489.55~~ (Save \$20.40)

[See details](#)

CA LEGAL
FREE HANDGRIP & GLOVES

DB-J022 Coolster 49cc 2-Stroke
Mini Dirt Bike, Front & Rear Disc
Breaks, Super Fast!

Was: ~~\$459.95~~

Instant Savings:
\$205

Halloween Special:
\$254.95

Buy with money order
~~\$244.75~~ (Save \$10.20)

[See details](#)

**CA LEGAL**

DB-J007 Coolster 110cc Dirt Bike
with Fully Automatic Transmission,
Electric Start Only!

Was: ~~\$519.00~~

Instant Savings:
\$100

Halloween Special:
\$418.95

Buy with money order
~~\$402.19~~ (Save \$16.76)

[See details](#)

CA LEGAL

SSR SR70C 70cc Dirt Bike with
Semi-Auto Transmission, Front and
Rear Disc Brakes!

Was: ~~\$699.00~~

Instant Savings:
\$279

Halloween Special:
\$419.95

Buy with money order
~~\$403.15~~ (Save \$16.80)

[See details](#)

CA LEGAL

DB-J012 Coolster 125cc Pit Bike
with Semi-Auto Transmission and
Disc Brakes! Good Choice for
Riders Stepping into the 125 class!

Was: ~~\$549.95~~

Instant Savings:
\$80

Halloween Special:
\$469.95

Buy with money order
~~\$451.15~~ (Save \$18.80)

[See details](#)



GK-F015 110cc Kid Size Go Kart
with Automatic Transmission
w/Reverse and Remote Control!

Was: ~~\$1,299.95~~

Instant Savings:
\$460

Halloween Special:
\$839.95

Buy with money order
~~\$806.35~~ (Save \$33.60)

[See details](#)

FREE HANDGRIP & GLOVES

ATV-P62 110cc ATV with Automatic
Transmission, Foot Brake, Remote
Control! Big 16" Tires!

Was: ~~\$599.95~~

Instant Savings:
\$190

Halloween Special:
\$409.95

Buy with money order
~~\$393.55~~ (Save \$16.40)

[See details](#)

CA LEGAL

GK-F018 150cc Go Kart with
Automatic CVT Transmission
w/Reverse! Included Headlights and
Front Brake! Free Gift!

Was: ~~\$1,799.95~~

Instant Savings:
\$321

Halloween Special:
\$1,478.95

Buy with money order
~~\$1,419.79~~ (Save \$59.16)

[See details](#)

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Electric Vehicles, namely, Electric Scooters and Electric Motorcycles

SEATTLE E-bike

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Johnny Loco



RECENT BLOG POSTS

Fall/Winter Hours!

Posted October 14, 2015

Hello e-bike enthusiasts! As we approach the darker days, we will be reverting back to our "Fall/Winter" hours, where we will be closed on Sundays and Mondays. Effective Saturday, October 24, we will open at 10:30 on weekdays, instead of...

Fire Sale Pricing List :

Posted August 14, 2015

Dear Seattle E-Bike Customer: You may have heard or read that we are having THE biggest sale since we've opened. It is both a clearance and a sale of the bikes that were involved in the fire. Most of those bikes just had...

Fire Sale at Seattle E-Bike!

Posted August 10, 2015

Against all odds, Seattle E-Bike has recovered from the fire and reopened. It was tentative at first, but we are very close now to our



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Impulse 7 HS

\$2,999.00



Kalkhoff Agattu
Impulse 8 HS

\$3,599.00



Kalkhoff Sahel
Compact Impulse 8

\$3,499.00



Kalkhoff Sahel
Impulse 8

\$3,799.00

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Seattle, WA 98104
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Sunday: 10am - 5pm
Monday: Closed

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Brammo Electric Motorcycles



Brammo Inc. is a leading electric vehicle technology company headquartered in North America. Brammo designs and develops electric vehicles including the award winning Enertia® and Empulse®. Their motorcycles are quieter, lighter, and handle better than gasoline motorcycles. All Brammos are zero emission. Check out our [Video](#) section for a look at the Empulse R on the racetrack!



Brammo 2013
Enertia

\$6,995.00



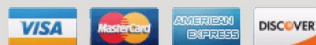
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EXHIBIT F

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Specs / Harley-Davidson

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Motorcycle Specs by Year

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2008 2007 2006 2005 2004

2016 Harley-Davidson Road Glide® Ultra



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Specs

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2016 Harley-Davidson Motorcycle

Tweet 0 Like 0

Performance ★★★★★ Ride & Comfort ★★★★★
Quality & Reliability ★★★★★ Value ★★★★★

2016 Harley-Davidson Road Glide® Ultra Reviews

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Overall User Rating
★★★★★

2016 Harley-Davidson Road King® Base



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MSRP \$18,749.00

Specs

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USER RATING
#2
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2016 Harley-Davidson Motorcycle

Tweet 0 Like 0

Performance ★★★★★ Ride & Comfort ★★★★★
Quality & Reliability ★★★★★ Value ★★★★★

2016 Harley-Davidson Road King® Base Reviews

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Overall User Rating
★★★★★

2016 Harley-Davidson Sportster® Iron 883



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USER RATING
#3
of 20
2016 Harley-Davidson Motorcycle

Tweet 0 Like 0

Performance ★★★★★ Ride & Comfort ★★★★★
Quality & Reliability ★★★★★ Value ★★★★★

Overall User Rating
★★★★★

Spotlight

The All-New 2014
Indian Chief® Classic
The American Icon is Back



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2016 Harley-Davidson Trike Tri Glide Ultra

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MSRP \$33,499.00

Specs

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User RATING
#4
of 20
2016 Harley-Davidson Motorcycle

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Performance ★★★★★ Ride & Comfort ★★★★★
Quality & Reliability ★★★★★ Value ★★★★★

2016 Harley-Davidson Trike Tri Glide Ultra Reviews

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Overall User Rating

★★★★★

2016 Harley-Davidson Street Glide® Special

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MSRP \$23,199.00

Specs

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User RATING
#5
of 20
2016 Harley-Davidson Motorcycle

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Performance ★★★★★ Ride & Comfort ★★★★★
Quality & Reliability ★★★★★ Value ★★★★★

2016 Harley-Davidson Street Glide® Special Reviews

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Overall User Rating

★★★★★

2016 Harley-Davidson Road Glide® CVO Ultra

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MSRP \$40,299.00

Specs

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User RATING
#6
of 20
2016 Harley-Davidson Motorcycle

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Performance ★★★★★ Ride & Comfort ★★★★★
Quality & Reliability ★★★★★ Value ★★★★★

2016 Harley-Davidson Road Glide® CVO Ultra Reviews

[View All 2016 Harley-Davidson Road Glide® CVO Ultra Reviews](#)

Overall User Rating

★★★★★

2016 Harley-Davidson Sportster® Forty-Eight

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MSRP \$11,199.00

Specs

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User RATING
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2016 Harley-Davidson Motorcycle

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Performance ★★★★★ Ride & Comfort ★★★★★
Quality & Reliability ★★★★★ Value ★★★★★

2016 Harley-Davidson Sportster® Forty-Eight Reviews

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Overall User Rating

★★★★★

2016 Harley-Davidson Street Glide® CVO Street Glide

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MSRP \$36,799.00

User RATING
#8
of 20
2016 Harley-Davidson Motorcycle

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Performance ★★★★★ Ride & Comfort ★★★★★
Quality & Reliability ★★★★★ Value ★★★★★

Overall User Rating

★★★★★

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2016 Harley-Davidson Road Glide® Special


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MSRP \$23,499.00

Specs

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User RATING
#9
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2016 Harley-Davidson Motorcycle

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Overall User Rating
★★★★★

Performance ★★★★★ Ride & Comfort ★★★★★
Quality & Reliability ★★★★★ Value ★★★★★

[2016 Harley-Davidson Road Glide® Special Reviews](#)
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2016 Harley-Davidson Street Glide® Base


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MSRP \$20,899.00

Specs

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User RATING
#10
of 20
2016 Harley-Davidson Motorcycle

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Overall User Rating
★★★★★

Performance ★★★★★ Ride & Comfort ★★★★★
Quality & Reliability ★★★★★ Value ★★★★★

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2015 Vespa Motorcycles

A Vespa is not just a scooter. It is one of the great icons of Italian style and elegance, and with more than 16 million units produced, is well known throughout the world. For more than 50 years, Vespa has fascinated millions of people and given the world an irreplaceable icon of Italian style and a means of personal transport that has become synonymous with freedom. It now falls under the umbrella of the Piaggio Group.

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2015 Vespa GTS 300 i.e. Super Sport SE ABS



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MSRP \$6,799.00

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User RATING #1 of 7 2015 Vespa Motorcycle Overall User Rating ★★★★★
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Performance ★★★★★ Ride & Comfort ★★★★★
Quality & Reliability ★★★★★ Value ★★★★★

2015 Vespa GTS 300 i.e. Super Sport SE ABS Reviews

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2015 Vespa Primavera 50 4V



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MSRP \$3,599.00

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User RATING #2 of 7 2015 Vespa Motorcycle Overall User Rating ★★★★★
[Tweet](#) 0 [Like](#) 1

Performance ★★★★★ Ride & Comfort ★★★★★
Quality & Reliability ★★★★★ Value ★★★★★

2015 Vespa Primavera 50 4V Reviews

[View All 2015 Vespa Primavera 50 4V Reviews](#)

2015 Vespa Primavera 150 3V i.e.



[View All Photos & Videos](#)

User RATING #3 of 7 2015 Vespa Motorcycle Overall User Rating ★★★★★
[Tweet](#) 0 [Like](#) 0

Performance ★★★★★ Ride & Comfort ★★★★★
Quality & Reliability ★★★★★ Value ★★★★★

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<http://www.motorcycle.com/specs/vespa/>
2015 Vespa Primavera 150 3V i.e. Reviews

10/26/2015

MSRP \$4,899.00

Specs

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2015 Vespa Sprint 50 4V



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MSRP \$3,699.00

Specs

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User RATING #4 of 7 2015 Vespa Motorcycle Overall User Rating ★★★★★

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Performance ★★★★★	Ride & Comfort ★★★★★
Quality & Reliability ★★★★★	Value ★★★★★

2015 Vespa Sprint 50 4V Reviews

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2015 Vespa GTS 300 i.e. Super ABS



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MSRP \$6,599.00

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User RATING #5 of 7 2015 Vespa Motorcycle Overall User Rating ★★★★★

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Performance ★★★★★	Ride & Comfort ★★★★★
Quality & Reliability ★★★★★	Value ★★★★★

2015 Vespa GTS 300 i.e. Super ABS Reviews

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2015 Vespa Sprint 150 3V ABS



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MSRP \$5,099.00

Specs

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User RATING #6 of 7 2015 Vespa Motorcycle Overall User Rating ★★★★★

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Performance ★★★★★	Ride & Comfort ★★★★★
Quality & Reliability ★★★★★	Value ★★★★★

2015 Vespa Sprint 150 3V ABS Reviews

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MSRP \$6,599.00

Specs

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User RATING #7 of 7 2015 Vespa Motorcycle Overall User Rating ★★★★★

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Performance ★★★★★	Ride & Comfort ★★★★★
Quality & Reliability ★★★★★	Value ★★★★★

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I love the Atv I had it for a year now and I got the red and black one and it is nice and I have to get a new key Assy for it...

★★★★★

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Fully Assembled
GK-X01-R328 125cc Go Kart with Automatic Transmission w/Reverse, Disc Brakes!
Refurbished, Fully Assembled!

~~\$1,299.95~~ **\$959.95**[See details](#)

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CA LEGAL
FREE GOGGLES & GLOVES

MC-X68 50cc Moped Scooter with Sports Style, Aluminum 10" Wheels, Large Rear Storage Trunk! Fully Assembled New, Upgraded!

Was: \$989.95
Instant Savings: \$490

Halloween Special:
\$499.95

Buy with money order
\$479.95 (Save \$20.00)

[See details](#)

FREE PRE DELIVERY INSPECTION
CA LEGAL
FREE GOGGLES & GLOVES

MC-X66 50cc Moped Scooter with Sports Style, Aluminum 10" Wheels, Large Rear Storage Trunk! Fully Assembled, High Quality!

Was: \$1,099.95
Instant Savings: \$470

Halloween Special:
\$629.95

Buy with money order
\$604.75 (Save \$25.20)

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FREE GOGGLES & GLOVES

MC-X65 50cc Moped Scooter with Sports Style, Aluminum 10" Wheels, Large Rear Storage Trunk! Fully Assembled, High Quality!

Was: \$1,099.95
Instant Savings: \$600

Halloween Special:
\$499.95

Buy with money order
\$479.95 (Save \$20.00)

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Hot

CA LEGAL
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ATV-X10 125cc Utility ATV with Automatic Transmission w/Reverse, Foot Brake, Remote Control! Big 19" Tires!

Was: \$799.95
Instant Savings: \$201
Halloween Special: \$598.95

Buy with money order
\$574.99 (Save \$23.96)

[See details](#)

Hot

FREE GOGGLES & GLOVES

TaoTao Boulder B1 110cc ATV with Automatic Transmission, Remote Control! Rear Rack!

Was: \$489.95
Instant Savings: \$121
Halloween Special: \$368.95

Buy with money order
\$354.19 (Save \$14.76)

[See details](#)

Hot

FREE GOGGLES & GLOVES

TaoTao ATA-110B1 110cc ATV with Automatic Transmission, Remote Control! Rear Rack!

Was: \$489.95
Instant Savings: \$101
Halloween Special: \$388.95

Buy with money order
\$373.39 (Save \$15.56)

[See details](#)



Fully Assembled!
GK-F003-R275 150cc Go Kart with Automatic Transmission w/Reverse! Refurbished, Fully Assembled!

\$1,648.95 **\$1,479.95**

[See details](#)



TaoTao Boulder B1 110cc ATV with Automatic Transmission, Remote Control! Rear Rack!

\$489.95 **\$368.95**

[See details](#)



CA LEGAL
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SSR SX50 50cc Dirt Bike with Automatic Transmission! New Arrival! Free Shipping!

Was: \$395.95
Instant Savings: \$16
Halloween Special: \$379.95

[See details](#)



FREE GOGGLES & GLOVES

MC-X09 50cc Moped Scooter with Sports Style, Drum Brakes, 10" Wheels! New Arrival!

Was: \$599.95
Instant Savings: \$150
Halloween Special: \$449.95

Buy with money order
\$431.95 (Save \$18.00)

[See details](#)



FREE HANDGRIP & GLOVES

GK-P003 AeroHawk 125cc Go Kart with Automatic Transmission w/Reverse! Electric Start!

Was: \$1,299.95
Instant Savings: \$500
Halloween Special: \$799.95

Buy with money order
\$767.95 (Save \$32.00)

[See details](#)



ATV-T040 110cc ATV with Automatic Transmission w/Reverse, Foot Brake, Big 19"/18" Tires!

\$689.95 **\$589.95**

[See details](#)



CA LEGAL
FREE HANDGRIP & GLOVES

ATV-P64 125cc ATV with Automatic Transmission w/Reverse, Foot Brake, Remote Control! Big 16" Tires! New Arrival!

Was: \$749.95
Instant Savings: \$240
Halloween Special: \$509.95



FREE HANDGRIP & GLOVES

ATV-P61 125cc Utility ATV with Semi-Automatic Transmission w/Reverse, Foot Brake, Remote Control!

Was: \$849.00
Instant Savings: \$319
Halloween Special: \$529.95



FREE GOGGLES & GLOVES

TaoTao ATA-125D 125cc ATV with Automatic Transmission w/Reverse, Foot Brake, Remote Control! Big 16" Tires!

Was: \$649.95
Instant Savings: \$120
Halloween Special: \$529.95



MC-X09 50cc Moped Scooter with Sports Style, Drum Brakes, 10" Wheels! New Arrival!

\$599.95 **\$449.95**

[See details](#)



ATV-X10 125cc Utility ATV with Automatic Transmission w/Reverse, Foot Brake, Remote Control! Big 19" Tires!

Buy with money order
\$489.55 (Save \$20.40)

[▶ See details](#)



FREE GOGGLES & GLOVES

ATV-T020 200cc Utility ATV with
4-Speed Manual Transmission
w/Reverse and Foot Brake!

Was: \$1,249.95

Instant Savings:
\$200

Halloween Special:
\$1,049.95

Buy with money order
\$1,007.95 (Save \$42.00)

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Buy with money order
\$508.75 (Save \$21.20)

[▶ See details](#)



FREE GOGGLES & GLOVES

ATV-T032 125cc ATV with
Semi-Automatic Transmission
w/Reverse, Foot Brake and Remote
Control!

Was: \$699.95

Instant Savings:
\$90

Halloween Special:
\$609.95

Buy with money order
\$585.55 (Save \$24.40)

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Buy with money order
\$508.75 (Save \$21.20)

[▶ See details](#)



CA LEGAL

DB-J005 Coolster 70cc Dirt Bike
with Semi-Auto Transmission,
Honda XR50 Upgraded!

Was: \$499.95

Instant Savings:
\$155

Halloween Special:
\$344.95

Buy with money order
\$331.15 (Save \$13.80)

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~~\$799.95~~ **\$598.95**

[▶ See details](#)



GK-F018 150cc Go Kart
with Automatic CVT
Transmission
w/Reverse! Included
Headlights and Front Brake!
Free Gifts!

~~\$1,799.95~~ **\$1,478.95**

[▶ See details](#)



FREE PRE DELIVERY INSPECTION
CA LEGAL

MC-E26 150cc Moped Scooter with
10" Wheels, Rear Trunk! Made by
ZHEN, High Quality! Free Shipping!

Was: \$1,999.95

Instant Savings:
\$300

Halloween Special:
\$1,699.00

Buy with money order
\$1,631.04 (Save \$67.96)

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CA LEGAL
FREE GOGGLES & GLOVES

SSR SR70 70cc Dirt Bike with
Semi-Auto Transmission! New
Arrival!

Was: \$659.00

Instant Savings:
\$269

Halloween Special:
\$389.95

Buy with money order
\$374.35 (Save \$15.60)

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CA LEGAL
FREE GOGGLES & GLOVES

SSR SR110SEMI Pit Bike with
Semi-Automatic Transmission!

Was: \$799.00

Instant Savings:
\$339

Halloween Special:
\$459.95

Buy with money order
\$441.55 (Save \$18.40)

[▶ See details](#)



CA LEGAL
FREE GOGGLES & GLOVES

SSR SR125SEMI Pit Bike with
Semi-Automatic Transmission, Kick
Start!

Was: ~~\$1,049.00~~

Instant Savings:
\$540

Halloween Special:
\$508.95

Buy with money order
~~\$488.59~~ (Save \$20.36)

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SSR SR125 125cc Pit Bike with
Manual Transmission, Kick Start!
Super Hot!

Was: ~~\$1,049.00~~

Instant Savings:
\$539

Halloween Special:
\$509.95

Buy with money order
~~\$489.55~~ (Save \$20.40)

[See details](#)

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DB-J022 Coolster 49cc 2-Stroke
Mini Dirt Bike, Front & Rear Disc
Breaks, Super Fast!

Was: ~~\$459.95~~

Instant Savings:
\$205

Halloween Special:
\$254.95

Buy with money order
~~\$244.75~~ (Save \$10.20)

[See details](#)

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DB-J007 Coolster 110cc Dirt Bike
with Fully Automatic Transmission,
Electric Start Only!

Was: ~~\$519.00~~

Instant Savings:
\$100

Halloween Special:
\$418.95

Buy with money order
~~\$402.19~~ (Save \$16.76)

[See details](#)

CA LEGAL

SSR SR70C 70cc Dirt Bike with
Semi-Auto Transmission, Front and
Rear Disc Brakes!

Was: ~~\$699.00~~

Instant Savings:
\$279

Halloween Special:
\$419.95

Buy with money order
~~\$403.15~~ (Save \$16.80)

[See details](#)

CA LEGAL

DB-J012 Coolster 125cc Pit Bike
with Semi-Auto Transmission and
Disc Brakes! Good Choice for
Riders Stepping into the 125 class!

Was: ~~\$549.95~~

Instant Savings:
\$80

Halloween Special:
\$469.95

Buy with money order
~~\$451.15~~ (Save \$18.80)

[See details](#)



GK-F015 110cc Kid Size Go Kart
with Automatic Transmission
w/Reverse and Remote Control!

Was: ~~\$1,299.95~~

Instant Savings:
\$460

Halloween Special:
\$839.95

Buy with money order
~~\$806.35~~ (Save \$33.60)

[See details](#)

FREE HANDGRIP & GLOVES

ATV-P62 110cc ATV with Automatic
Transmission, Foot Brake, Remote
Control! Big 16" Tires!

Was: ~~\$599.95~~

Instant Savings:
\$190

Halloween Special:
\$409.95

Buy with money order
~~\$393.55~~ (Save \$16.40)

[See details](#)

CA LEGAL

GK-F018 150cc Go Kart with
Automatic CVT Transmission
w/Reverse! Included Headlights and
Front Brake! Free Gifts!

Was: ~~\$1,799.95~~

Instant Savings:
\$321

Halloween Special:
\$1,478.95

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~~\$1,419.79~~ (Save \$59.16)

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Johnny Loco



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Fall/Winter Hours!

Posted October 14, 2015

Hello e-bike enthusiasts! As we approach the darker days, we will be reverting back to our "Fall/Winter" hours, where we will be closed on Sundays and Mondays. Effective Saturday, October 24, we will open at 10:30 on weekdays, instead of...

Fire Sale Pricing List :

Posted August 14, 2015

Dear Seattle E-Bike Customer: You may have heard or read that we are having THE biggest sale since we've opened. It is both a clearance and a sale of the bikes that were involved in the fire. Most of those bikes just had...

Fire Sale at Seattle E-Bike!

Posted August 10, 2015

Against all odds, Seattle E-Bike has recovered from the fire and reopened. It was tentative at first, but we are very close now to our



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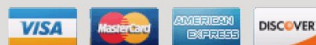
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smart (smärt)

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adj. **smart·er**, **smart·est**

- Having or showing intelligence; bright. See Synonyms at **intelligent**.
 - Canny and shrewd in dealings with others: a smart negotiator.
- Amusingly clever; witty: a smart quip; a lively, smart conversation.
 - Impertinent; insolent: That's enough of your smart talk.
- Energetic or quick in movement: a smart pace.
- Fashionable; elegant: a smart suit; a smart restaurant; the smart set. See Synonyms at **fashionable**.
- Capable of making adjustments that resemble those resulting from human decisions, chiefly by means of electronic sensors and computer technology: smart missiles; smart machines.

intr. v. **smart·ed**, **smart·ing**, **smarts**

- To cause a sharp, usually superficial, stinging pain: The slap delivered to my face smarted.
 - To be the location of such a pain: The incision on my leg smarts.
 - To feel such a pain.
- To suffer acutely, as from mental distress, wounded feelings, or remorse: "No creature smarts so little as a fool" (Alexander Pope).

n.

- Sharp pain or anguish: the smart of the wound.
- smarts** Slang Intelligence; expertise: a reporter with a lot of smarts.

Phrasal Verb:

smart off *Informal*

To speak or act impertinently.

Idiom:

right smart New England & Southern US

A lot; a considerable amount: "We have read right smart of that book" (Catherine C. Hopley).

[Middle English, stinging, keen, alert, from Old English smeart, causing pain.]

smart *ly* *adv.*

smart *ness* *n.*

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Smart (smärt), **Christopher** 1722-1771.

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British poet whose works, such as *A Song to David* and *Jubilate Agno*, published posthumously, express an intense idiosyncratic religious feeling.

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EXHIBIT I

How To Choose and Buy a Scooter

13.09.2008 | Author: [Red Byron](#) | Posted in [Motorcycles](#)

by Red Byron

The vehicle with two wheels and with engine, that's all there was in a scooter. As time went by, scooters has become lot more stylish, user friendly and symbol of a smart choice. These days scooters come with lot more options that it used to be. It comes in different sizes and shapes. Of course it is smaller than a motorcycle. Engine is normally placed under the driver's seat and positioned at the rear of the vehicle.

When talking about scooters, one cannot help but talk about the three top brands.

They are almost synonymous. Many people use the name of these brands to mention scooters. Yamaha scooters, Vespa scooters and Honda scooters are the top three brands. It not only helps to save time, but also saves money. For a simple quick fix you don't have to call the experts, rather do it yourself. It is easy once you know it. Also shopping around for scooter parts can be

The scooter model was originated in Italy. It is always known for its strong built model and simple design. The pressed body gives good protection to the engine. Dust and dirt can never reach to the engine and damage it. It is said that the designer of this scooter was not an enthusiast. He just did a very professional job. Sure his design and features made the scooter very popular. From a single model Vespa now has a whole line of products. The owner who started with this simple model of one vehicle created a chain of seven different companies.

At the Honda scooter it is hard to tell the extreme long distance capabilities it has as a luxurious look and very comfortable indeed. When it is cruising on the highway, it runs very smooth. You can choose what type of transmission you want. Given the option, most people like the luxury of auto transmission. These sleek looking scooters can turn every ride a fun and sporty one.

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Yamaha scooters are simple to operate and fun to ride. People who are looking for their first scooter, Yamaha scooter can be perfect match for them. It is also a good choice for an inexpensive transportation. These scooters are environmentally friendly and stylish. If you want to make a statement, this can be a smart choice.

The popularity of scooters are going up everyday. Mainly for smart looks and convenience. It is a very smart choice in a market where gas price is going up by the minute.

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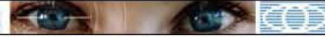
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Home News Breaking News **Story**

Fremont electric scooter startup comes to 'Innovation District'

By Chris De Benedetti | The Argus

POSTED: 08/01/2014 05:45:46 AM PDT | UPDATED: ABOUT A YEAR AGO

4 COMMENTS

FREMONT -- The city's strategy to attract cleantech companies to its growing "Innovation District" has begun yielding results, as another electric vehicle startup has moved to the area.

GenZe, an electric-powered scooter maker, moved last month from Palo Alto to south Fremont, where Tesla's factory and other green companies have set up shop. "We wanted a lot of space and an area that's encouraging for electric vehicles and innovation," said GenZe CEO Vish Palekar. "We naturally landed in Fremont."

GenZe has moved its headquarters near an 850-acre area where Fremont hopes to add up to 4,000 housing units, 12,000 jobs, shopping and entertainment, restaurants, hotel and convention facilities, and parks and open space. The zone is anchored by the Warm Springs-South Fremont BART station, which will open late next year.



Russ Faulthner, fulfillment center manager, demonstrates the GenZe 2.0 electric scooter outside the GenZe by Mahindra headquarters in Fremont, Calif., Thursday, July 31, 2014. (Anda Chu/Bay Area News Group)

Biotech and solar-energy companies such as Solaria and Thermo Fisher Scientific already have clustered there, partly because the city has waived fees and given them tax exemptions.

Now, Fremont has its eye on electric-vehicle makers. The city recently decided to allow the sale and service of electric automobiles in more parts of town, helping attract those companies.

The new law will help the city accommodate "the ever-growing trend of electric vehicles" and "strengthen Fremont as a major regional job center ... and a preferred location for technology, research and development businesses," a city report states.

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One of those businesses is GenZe, a subsidiary of The Mahindra Group, an India-based manufacturing giant. It has a showroom on University Avenue in Palo Alto. But the startup has moved day-to-day operations to a 16,000-square-foot facility



Fred Meyer



3⁹⁹

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1 Rule of a flat stomach :



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on Fremont's Bayview Drive, across from Tesla's factory.

"They align perfectly with our strategy of attracting more cleantech companies and,

specifically, more electric vehicle companies," said Fremont Economic Development Manager Christina Briggs.

"These industries are among our highest prospects for growth," she said. "They attract jobs and tremendous economic activity on the business-to-business level."

GenZe's name refers to the phrase "Generation Zero Emissions," an environmentally friendly goal for electric carmakers and buyers, Palekar said.

The company has begun taking sale orders for the GenZe, a 210-pound scooter priced at \$3,000. The first models will be ready in December, Palekar said.

The scooter has a top speed of 30 mph, and a range of 30 miles. Its removable battery can be plugged into a regular socket for charging.

The scooter will be on display this weekend at the Fremont Festival of the Arts.



The GenZe 2.0 electric scooter, right, and E-bike, left, are on display in the showroom of the GenZe by Mahindra headquarters in Fremont, Calif., Thursday, July 31, 2014. (Anda Chu/Bay Area News Group)

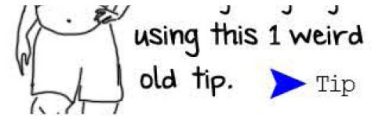
GenZe leaders have been inspired by Tesla's success with electric vehicles, Palekar said. But they also were influenced by another famous Silicon Valley company.

The scooters were designed so that riders will appear the same way that iPhone users do, Palekar said. "Apple made cell phones look smart and elegant and, hence, everyone wanted to be seen with a smartphone," he said.

"Anyone riding (a GenZe scooter) will look

smart, like they are a part of this new generation."

Contact Chris De Benedetti at 510-353-7011. Follow him at [Twitter.com/cdebenedetti](https://twitter.com/cdebenedetti).



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EXHIBIT K

How To Dress Sharp When A Motorcycle Is Your Primary Means Of Transportation – Motor Bike Style Tips



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An overview of motorcycle safety gear –

http://en.wikipedia.org/wiki/Motorcycle_personal_protective_equipment

RAW Transcript

How To Dress Sharp When A Motorcycle Is Your Primary Means Of Transportation – Motor Bike Style Tips[0:00:00]

Hi. I'm Antonio Centeno, the founder of Real Men Real Style, and today I'm going to be talking about riding a motorcycle and dressing sharp. Okay, if you haven't already, please subscribe to our Youtube channel by doing that. These videos come right to you, in addition, if you enjoy the video, if you find it useful, please like it down below and finally, I'm going to link you to an article which is going to provide more information on what I'm talking about. In addition, we'll also link you to our free 47 page E-book on Men's style.

Okay, this isn't going to really get into motorcycle gear a whole lot and I'm not really aiming about how to look good on your motorcycle. The question that came in is a gentleman, he rides his motorcycle all of the time and for him, it was about "How can I look sharp when I get right off my bike?" Because he rides it to

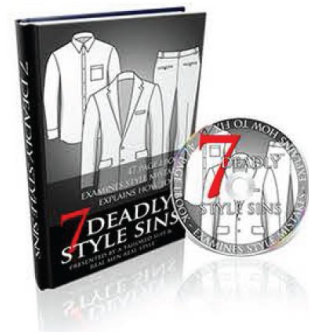
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About Antonio

Antonio Centeno is President of ATailoredSuit.com and the

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 founder of RealMenRealStyle.com. He has created over 700 articles & videos on men's style, blogs over at the Art of Manliness, and is the creator of the internet's best selling personal presentation course - [The Personal Image System](#). Antonio has studied clothing design in London, Hong Kong, and Bangkok. He is a former US Marine with an MBA from UT Austin and a BA from Cornell College. He loves to hear from old friends and make new ones.

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How To Dress Sharp When A Motorcycle Is Your Primary Means Of Transportation – Motor Bike Style Tips[0:00:00]

Hi. I'm Antonio Centeno, the founder of Real Men Real Style, and today I'm going to be talking about riding a motorcycle and dressing sharp. Okay, if you haven't already, please subscribe to our Youtube channel by doing that. These videos come right to you, in addition, if you enjoy the video, if you find it useful, please like it down below and finally, I'm going to link you to an article which is going to provide more information on what I'm talking about. In addition, we'll also link you to our free 47 page E-book on Men's style.

Okay, this isn't going to really get into motorcycle gear a whole lot and I'm not really aiming about how to look good on your motorcycle. The question that came in is a gentleman, he rides his motorcycle all of the time and for him, it was about "How can I look sharp when I get right off my bike?" Because he rides it to and from work, it's his only means of transportation and he's not really wanting to wear all of the gear.

He's been talking about that what kind of clothing that look sharp can he wear and serve two purposes. And my quick answer to this is you can have it both ways. I think it's a bad idea to try to wear anything but safety gear when you're riding a motorcycle and this comes from a motorcyclist years ago, actually, I've had three motorcycles over the years. I've since don't really ride anymore now that I've had kids but it's one of those thingsâ€ they call them donor cycles for a reason and this comes from a guy that loves motorcycles.

But every year, I would, on average, put on probably 40,000 miles, maybe 50,000 miles on my motorcycle. I did the four corners. I don't know ifâ€ and not just – I went from Noviskosha to Victoria down to Rosarita and then over to Key West. I rode that thing. I've hit 48 states. Alaska and Hawaii are on the list but I haven't made it yet so I have a little bit of experience riding motorcycles.

In fact, when I got rid of my Triumph Sprint ST, that thing had well over 100,000 miles on it. Great bike but one thing I learned is that it's not just about you and being safe but eventually you're going to hit something whether it'd be oil, whether it'd be water, whether it'd be a crazy driver, someone is going to knock you off that bike if you put on enough miles and you need to

be dressed in a way that is going to – and you don't know when this point is going to happen.

And so, always be wearing your helmet and that's going to mess up your hair especially if you have a lot of hair. So really, you're going to right there, you're going have to go to a bathroom and probably fix up your hair. The other thing is you need to be wearing leathers or synthetic motorcycle gear that's padded and is going to prepare you for whenever you go sliding down that road at 20 miles/hour.

So when it comes down to a lot of the stuff, it also needs to fit you properly. You can't wear really loose gear. You need to wear gear that's close-fitting to your body and I think this is a plus because it allows you to keep extra clothing at work. I know some of you guys don't have your own, perhaps, office. You don't have your own closet. "Where am I going to store?" Well, talk with your manager and find a place where you can store your clothing even if it's just a small trunk or box where you keep your clothes nicely folded up that when you get there, you can change into them and when you're leaving, it's going to take an extra 5 – 10 minutes and at the end of the day, I think it's well worth it.

Another upside is that if you actually get into this and you actually have the full gear. I find that nothing attracted women like me dressed out in full leathers. I've got many good stories of random women giving me their cards and phone numbers whenever I would – gosh, there was this time in Iowa. I was talking with a buddy at a caf  , Tom Webster. He was a lawyer there and – but just some random woman came up, gave me her number. Well, you're not going to hear the rest of my story because my wife maybe watching this but in any case guys, what I'm getting at is there isn't a compromise here.

Take care of yourself. Be smart on a motorcycle and use it to your advantage. Get the full leather gear. Look great when you're riding that bike and look smart and be smart and when you get off that bike, have the time and set yourself up for success so that you can change in to the appropriate gear. When you're carrying a helmet, you're decked out in full leathers, people understand the reason you're doing it and you look a lot smarter than those guys that are wearing t-shirts, jeans and no helmet because I can tell you, you have an accident at 5 miles/hour, it could kill you and it's over really quick. This is coming from a guy I've gone down

on my bike probably five times, three of which, if I wouldn't have the gear, it would have been a lot more serious of an injury.

Okay, that's how you look sharp on your motorcycle. Take care; this has been Antonio Centeno with Real Men Real Style. I'll see you in the next video. Bye.

[0:04:56] End of Audio

EXHIBIT L

NewsRoom

10/13/12 Portland Oregonian (Pg. Unavail. Online)
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October 13, 2012

Section: Picture Caption

EILISE WARD/RETAIL:: Mike Stone of Yam

Laura Gunderson

The Oregonian

EILISE WARD/RETAIL:

Mike Stone of Yamaha Sports Plaza tests a Zero Motorcycle at the Fairview store on Friday.

Ed Meusec, the store's manager, said he'd been interested in the all-electric motorcycles for a while and approached the Scotts Valley, Calif., manufacturer over the summer. Yamaha Sports announced this week that it landed the exclusive right to sell them in the Portland area.

The motorcycles range in price from \$7,400 to \$13,900 and can travel 100 miles on a single 110-volt charge, which Meusec said costs about 7 cents. The dealership has three 2012 models in stock --a fourth sold Friday morning to a Forest Grove man who commutes daily to downtown Portland.

"It's powerful, you can get out there and tear it up," said Meusec, adding that he expects to have Zero's 2013 models available in February. "There's no motor that needs an oil change or the other servicing like a regular motorcycle. It's a smart buy."

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Language: EN

Other Indexing: (Mike Stone; Ed Meusec)